



Shire of Dardanup

MINUTES

ORDINARY COUNCIL MEETING

Held

27 November 2019

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive – EATON

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- ~ Large Print
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Upon request.

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council eg. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

DISCLAIMER

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

RISK ASSESSMENT

Inherent Risk	The level of risk in place in order to achieve the objectives of the Council and before actions are taken to alter the risk's impact or likelihood.
Residual Risk	The remaining level of risk following the development and implementation of Council's response.
Strategic Context	These risks are associated with achieving Council's long term objectives.
Operational Context	These risks are associated with the day-to-day activities of the Council.
Project Context	Project risk has two main components: <ul style="list-style-type: none"> • Direct refers to the risks that may arise as a result of project, which may prevent the Council from meeting its objectives. • Indirect refers to the risks which threaten the delivery of project outcomes.

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 27 NOVEMBER 2019, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding Member, Cr. M T Bennett declared the meeting open at 5.00pm, welcomed those in attendance and referred to the Disclaimer, Acknowledgement of Country, Emergency Procedure and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

Acknowledgement of Country

The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region by recognising the strength, resilience and capacity of Wardandi people in this land.

Affirmation of Civic Duty and Responsibility

Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

Emergency Procedure

In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, please proceed to the Assembly Area points located to the western side of the front office car park near the skate park and gazebo where we will meet (and complete a roll call).

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Cr. Michael Bennett	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. Tyrrell Gardiner	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Cr. Peter Robinson	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Mr Luke Botica	-	Director Infrastructure
Ms Susan Oosthuizen	-	Director Sustainable Development
Ms Cathy Lee	-	Manager Governance & HR
Mrs Marisa Blandford	-	Executive Support Officer
Mr Mick Saunders	-	Manager Assets
Mr Brenton Scambler	-	Manager Development Services

Six members of the Public

Two members of the Media

2.2 Apologies

None.

2.3 Leave of absence previously approved

Cr. Luke Davies	-	Elected Member [Res 311-19]
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3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

None.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Anita Robinson – Lot 1894 King Tree Road, Wellington Mill – Regarding Item 12.2 – Applications for Development Approval – Lot 1894 King Tree Road and Lot 6(63) King Tree Road – Cellar Door Sales and Associated Works – (Talisman Wines)

Thank you for opportunity to speak to you, it seems there are a few issues that still need clarification. We are a small business, it's just dad and myself. We've been out here for 30 years, we planted our vineyard 23 years ago and our grapes are 11 years old. We have worked hard to build up our vineyard.

We have won a number of single vineyard wine awards, and are now recognised as the best producer of single vineyard wines in the country. We are very proud of this achievement, and would really like people to be able to come down to our property and try our wines. We are not interested in becoming a restaurant or function centre. Wording in the Bushfire Management Plan suggested otherwise, this is not the case. We want to do our part to increase the tourism of the valley. The hours we intend to open for are the hours in the report, which were put forward by ourselves not by the planning staff.

Understand in light of the recent fire events bushfire is a very important consideration. We agree with the more stringent regulations that have been put in place for the area. Which is why we have had our Bushfire Management Plan completed.

An objection has been raised by our neighbours, the Allingtons. In their objection they asked was there an alternative location for the cellar door. There is no alternative, there is only the easement which is legal access to our property. We use the forestry access track to access our home, however we cannot legally use this for public access. The only road we can use is the easement as confirmed by the Shire.

In their objection submission they raised requests to appease their objection – we agreed to all but one. We don't want the easement bitumised, it may reduce dust but may also increase the speeds that people may travel and it is also not our land to bitumise.

All our other neighbours are supportive of our application. The Allingtons are the only objectors. Cheryl Wilks has offered the opportunity to put an additional easement over her land to provide another emergency access way. We also have a letter of support from Ferguson Valley Marketing and have support from a number of other tourism operators in the area. All see the benefit of tourism development in the area. We really think this development aligns with the Tourism Strategy also.

6.2 Simon Allington – 37 Weetman Road, Wellington Mill – Regarding Item 12.2 – Applications for Development Approval – Lot 1894 King Tree Road and Lot 6(63) King Tree Road – Cellar Door Sales and Associated Works – (Talisman Wines)

We reside at 37 Weetman Road, on the edge of the proposed access to the cellar door. Let me be clear, I want the cellar door to happen, no issue with that, problem is with the access going past our property. We've spent substantial money on earthworks and development for horses and training arenas on our property. Using the easement as the access way in its current state for the Cellar Door will impact on the quiet enjoyment of our amenities, causing dust and noise and distress for our horses. Its needs to be bitumised. Bitumised it will reduce dust and noise. Not bitumised it will end up a corrugated gravel road causing more noise and dust.

We've lived here for 11 ½ years, very few vehicles use that road. We did not think this would be an issue. I know Anita says that they are not interested in food etc., but in her own words, they want people to come and enjoy our wines. Patronage will inevitably grow and more and more vehicles will come to the property.

Next problem we have is the environmental impact of putting this road in – report says no issue with ringtail possums and black cockatoos, and that fair enough where the black cockatoos are concerned, but there are ringtail possums and phascogales in the area as well as a substantial bee colony. My wife sees them when she is out walking in the morning.

Drainage is another concern, if not done properly we will have excess water running onto our property and flooding our arena. This could result in significant erosion damage to our property, in particular our square and round yards.

Our main concern is bushfire risk. I know it's been talked about a lot, forefront of everyone's mind. I am aware experts involved in the development of the Bushfire Management Plan, however I would like to think I am a bit of an expert on the subject myself. I am over 60 and have been involved in firefighting for over 40 years. I understand how fast a bushfire can go, I don't agree with their proposed plan. An east or south easterly wind for example, with a fire to the east of the cellar door, will push the fire towards the proposed exit – what do we do there? We have to go out the entry which is where the Emergency Services are going to want to come in causing a bottle neck and putting lives in danger. We will need another way out. The Emergency Services could be delayed in getting to the fire putting the property and the neighbourhood at risk. The fire exit is nearly 1km long, I've walked it. Fire would be all around it.

Being a Volunteer Fire Fighter for many years I can tell you, if this development application is approved, it is clear the Robinsons will have three separate building sites scattered across his property. There is a real issue we as volunteers won't be able to protect those buildings, we would end up putting ourselves at risk having to spread out to try and save three separate lots of buildings.

I urge you to reconsider the Bushfire Management Plan and the environmental assessment.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Ordinary Meeting Held 6 November 2019****OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

330-19 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT the Minutes of the Ordinary Meeting of Council held on 6 November 2019, be confirmed as true and correct subject to no corrections.

CARRIED
8/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**8.1 Local Government Insurance Services (LGIS) Tier 3 Silver Diligence in Safety Award presented to the Shire of Dardanup**

The Shire has received an award for Safety from LGIS – The Tier 3 Silver Diligence in Safety Award.

This award recognises the commitment shown by the team here at the Shire to improving workplace safety and is a fantastic achievement. In addition to the award itself, LGIS also awarded an allocation of an additional \$1,500 to our funding pool to be put towards risk mitigation strategies here at the Shire. The Shire of Dardanup have also been listed on the list of Award Recipients on the LGIS website.

Congratulations to all of our Workforce for obtaining this level after only a few years being part of this program. When our workforce are safe we all feel safer. I was very proud to receive it.

8.2 Thanks to Chief Executive Officer – Regional New Industries Forum

I would like to thank Chief Executive Officer - André Schönfeldt for the preparation and work he put into the Regional New Industries Forum held at the Boomers Football Club this past Monday. It was excellent and the people there got a lot out of the presentation and we can build on that as we go.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

It is recommended that Council go behind closed doors toward the end of the meeting in accordance with Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 (2) - Matters for Which Meeting May Be Closed:

Standing Order and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

- S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public-*
- (a) all Council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.*
 - (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -*
 - (a) a matter affecting an employee or employees;*
 - (b) the personal affairs of any person;*
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) a matter that if disclosed, would reveal -*
 - (i) a trade secret;*
 - (ii) information that has a commercial value to a person; or*
 - (iii) information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to -*
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) endanger the security of the local government's property; or*
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
 - (g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) such other matters as may be prescribed.*
 - (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Note: *Shire President advised that the meeting will go behind closed doors toward the end of the meeting to discuss:*

- *Information that is the personal affairs of a person.*

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

"Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences."

Key Management Personnel (which includes Elected Members, CEO and Directors) are reminded of their requirement to disclose biannually transactions between Council and related parties in accordance with Council Policy CP039.

Discussion:

Shire President, Cr. M T Bennett asked Councillors and staff if there were any Declarations of Interest to be made.

- *Cr. M T Bennett declared a Financial Interest in Item 16.1 – Australia Day WA Citizen of the Year Awards 2020, which will be heard behind closed doors.*
- *Cr. M R Hutchinson declared a Financial Interest in Item 16.1 – Australia Day WA Citizen of the Year Awards 2020, which will be heard behind closed doors.*
- *Cr. M R Hutchinson declared a Financial Interest in Item 12.2 - Applications for Development Approval – Lot 1894 King Tree Road and Lot 6(63) King Tree Road – Cellar Door Sales and Associated Works – (Talisman Wines) as he has entered into a Contract of Sale for the building of furniture in the past and may do so again in the future.*
- *Cr. T G Gardiner declared an Impartiality Interest in Item 12.8 – Request for Feedback on Removal of RAV Access Conditions as he is a Heavy Vehicle Operator.*
- *Cr. T G Gardiner declared a Proximity Interest in item 12.11 – Permanent Road Closure – Part of Ferguson Road Reserve (St Aidan) as he is a Landholder directly opposite the Church/St Aidan Winery.*
- *Cr. T G Gardiner declared a Proximity Interest in item 16.1 - Australia Day WA Citizen of the Year Awards 2020, which will be heard behind closed doors.*

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 Title: *Ferguson Valley Marketing Relocation*

Reporting Department: Corporate & Governance Directorate
Reporting Officer: Mr Phil Anastasakis - Deputy CEO
Legislation: Local Government Act 1995

Overview

This report presents for Council's information and consideration the outcomes of negotiations between Council officers and the Ferguson Valley Marketing group regarding the proposed relocation of the Visitor Centre functions from the Don Hewison Centre to the Dardanup Shire Council offices for an initial 7 month trial period.

Background

In the 2019/20 budget there are road works planned for Ferguson Road within the Dardanup townsite which are anticipated to commence around the 12 December 2019 and be completed by the 31 January 2020. This will require the reconstruction of the roadway outside and adjacent to the Visitor Centre operating within the Don Hewison Centre, severely restricting and disrupting access to the Centre over what is anticipated to be a busy holiday period.

Ferguson Valley Marketing Inc. currently occupy, under a formal lease agreement, the Don Hewison Centre located at 5 Ferguson Road in the Dardanup townsite. The Don Hewison Centre is a Council owned heritage listed building. The current 5 year lease agreement expired on the 31 December 2018, and Council officers have been negotiating the terms and conditions of a new lease agreement with Ferguson Valley Marketing group since late last year.

Through these lease discussions with the Ferguson Valley Marketing group, it became evident that it would be advantageous for the Visitor Centre to relocate during this road construction period, and potentially for the longer term. The proposal has been raised with Ferguson Valley Marketing group for their operations to relocate to the Dardanup Shire Council Offices for an initial trial period commencing in early December 2019 to 30 June 2020, which they have supported.

Legal Implications

Local Government Act 1995

2.7. Role of council

- (1) The council —*
 - (a) governs the local government's affairs; and*
 - (b) is responsible for the performance of the local government's functions.*
- (2) Without limiting subsection (1), the council is to —*
 - (a) oversee the allocation of the local government's finances and resources; and*
 - (b) determine the local government's policies.*

The Don Hewison Centre, located at 5 Ferguson Road, Dardanup is the former Dardanup State School. It is listed on the Shire of Dardanup Municipal Heritage Inventory and was included in the Local Heritage Survey (2016) place number 25:

https://www.dardanup.wa.gov.au/wp-content/uploads/sites/105/2014/05/LHS_2016_final-issue_November_2016.pdf.

The building is also heritage listed as Place Number P4628 on the State Register of Heritage Places.

Strategic Community Plan

Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High).

Strategy 1.6.2 - Promote a positive public image for the Council through appropriate marketing activities and high standards of customer service. (Service Priority: Very High).

Strategy 4.2.3 - Foster and promote the Ferguson Valley as a tourism destination. (Service Priority: Very High).

Environment - None.

Precedents

Council recognises the benefits of co-location of facilities and shared services when possible, which is reflected in many grant applications, community projects and the Strategic Community Plan.

Budget Implications

There are some logistical matters that result from this relocation: the time involved in the relocation, re-establishment of phones/internet, movement of brochures, sales items and promotional material, and the relocation of the two signs on the Don Hewison Centre and the pylon sign outside the Centre.

Council does not have a specific budget allocation for this relocation, however it is anticipated that there will only be a small cost involved in the relocation of the three signs outside the Don Hewison Centre (up to \$1,000), which can be absorbed within the general maintenance budget.

It is anticipated that Ferguson Valley Marketing Inc. will be able to use existing or surplus desks, tables, shelving, internet/phone services, and storage within the Dardanup office. A mobile pin-up board will need to be purchased to block the entry to the Library on weekends when Council staff are not working, but this will also be able to be used for other Council and library displays and is funded within the office equipment budget.

Budget – Whole of Life Cost

As no new assets have been created, there are no direct whole of life or ongoing cost implications. The costs associated with maintaining the Don Hewison Centre during this trial period will need to be covered by Council and include fire extinguisher checks, electrical test and tag, electricity, and building insurance. These additional costs are not anticipated to be significant as the building will be vacant and Council already pays for water to the Centre as it includes the public toilets, and already maintains the lawns and roses for the site.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.1) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Ferguson Valley Marketing relocation
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Financial Risk: unforeseen costs • Service Interruption Risk: Loss of visitor service • Reputational Risk: Lack of support for tourist operators

Officer Comment

The relocation of Ferguson Valley Marketing from the Don Hewison Centre to the Dardanup Shire Council Offices has a number of benefits including:

- Ensuring that visitor servicing and marketing activities over the busy holiday period are maintained, enabling continued promotion of the Ferguson Valley, Gnomesville, Dardanup, Wellington Forest and broader Bunbury-Geographe region;
- Making greater use of the Dardanup Council Offices as a community resource;
- Co-location of resources and services through the Council offices, library and visitor servicing and marketing activities being conducted from the one location;
- Reducing the operating costs of the Ferguson Valley Marketing group, which will assist in maintaining their financial sustainability and achievement of their objectives to promote the Ferguson Valley and surrounds;
- Fulfilling the Strategic Objectives of Council through supporting Ferguson Valley Marketing and promoting the Ferguson Valley and Gnomesville; and
- Providing the opportunity for additional community activities to be conducted at the Don Hewison Centre. Some examples of potential uses include artisan groups, community gardens, historical groups, or well-being services.

It is proposed that the relocation of the Ferguson Valley Marketing visitor servicing and marketing activities occur for an initial trial period, beginning early December 2019 to 30 June 2020. These dates will enable the trial to occur for a reasonable time period to assess whether the anticipated benefits are realised, and to also determine if there are any unforeseen issues.

The proposal is for Ferguson Valley Marketing Inc. to utilise areas within the Dardanup Council offices at no additional operating cost to Council. This includes the following:

- Utilisation of the area currently used for the Toy Library as the main display area, with maps, brochures, and saleable items displayed around this room. The Toy Library would be relocated back into the main library area, which is where it was previously located. Council management and library staff have been consulted on this change and are in support of the proposal;

- Utilisation of a portion of the Dardanup office entry with a display cabinet and welcome desk, which will be serviced by Ferguson Valley Marketing staff/volunteers. This will enable tourists to be serviced by Ferguson Valley Marketing staff/volunteers when they first enter the office.
- Ferguson Valley Marketing staff/volunteers will be rostered to work at the offices 7 days a week, based on their availability and resources. They will be provided access to the building to enable the holding of after-hours Committee meetings and weekend servicing of visitors/tourists.
- Ferguson Valley Marketing will be provided an unused room to store their administrative items and sales material, as well as access to kitchen facilities, toilets and storage areas. Access will be restricted for the Council records room, library, strong room and cash handling areas.
- Council administration staff rostered to work at the Dardanup Council offices during ordinary work days and hours, will only provide visitor information and respond to questions/sales when Ferguson Valley Marketing staff/volunteers are unavailable. This will ensure the normal administration duties of Council staff are not noticeably impacted.

Council officers will commence discussions with Ferguson Valley Marketing around early May 2020 to assess the outcomes of the trial relocation, and to determine options for the future. The future use of the Dardanup Council Offices by Council will have a bearing on those discussions and what options are available.

A report will be presented to Council in due course outlining the outcomes of the relocation trial and recommendations for the future.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

331-19 MOVED – Cr. C N Boyce SECONDED – Cr. P R Perks

THAT Council:

1. **Endorse the relocation of Ferguson Valley Marketing Inc. from the Don Hewison Centre to the Dardanup Council offices for an initial trial period commencing December 2019 to 30 June 2020, and the associated relocation of signage, equipment and services; and**
2. **Authorise the Chief Executive Officer and Shire President to negotiate and execute a Lease between Ferguson Valley Marketing Inc. and the Shire of Dardanup for the above arrangements identified in Item 1.**

CARRIED
8/0

12.2 Title: Applications for Development Approval – Lot 1894 King Tree Road and Lot 6(63) King Tree Road – Cellar Door Sales and Associated Works – (Talisman Wines)

Reporting Department: Sustainable Development Directorate
 Reporting Officer: Mrs Suzanne Occhipinti - Senior Planning Officer
 Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. M Hutchinson declared a Financial Interest in this item as he has entered into a contract of sale for the building of furniture in the past and may do so again in the future.

Cr. M Hutchinson left the room. [5.23pm]

Overview

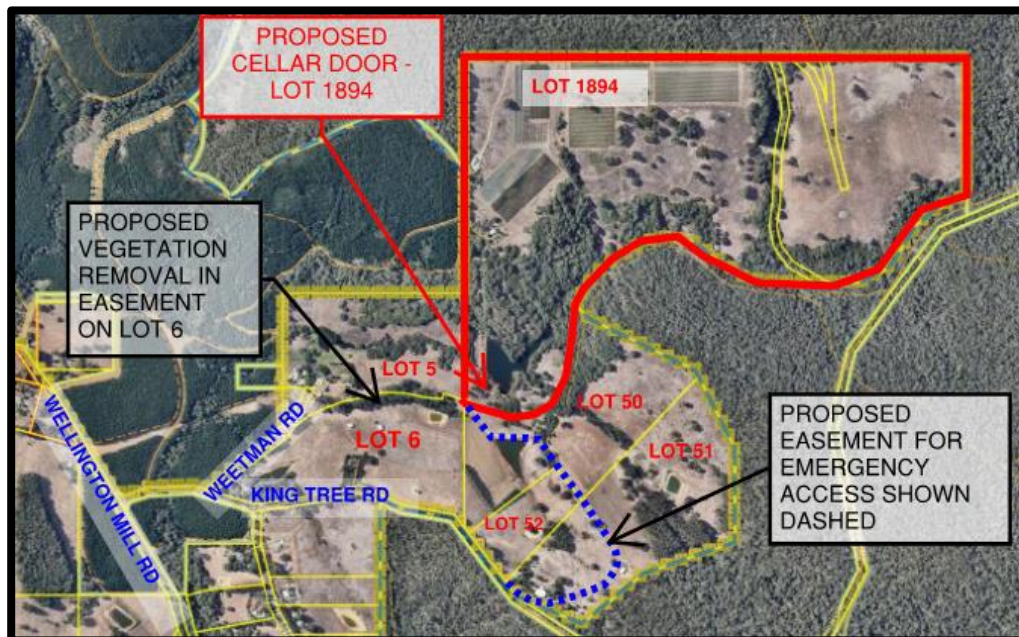
The Shire has received an application for the development of a cellar door (Cellar Door Sales – Talisman Wines) on Lot 1894 King Tree Road, and an application for vegetation removal and works in the carriageway easement on the adjoining Lot 6 (63) King Tree Road. The two separate Development Applications are interrelated, despite being for separate land parcels, and are therefore presented together in this report for consideration.

The applications were advertised to relevant agencies and to the nearby property owners. Five agency submissions and one public submission (objection) were received. The applicant subsequently provided one letter of support and one petition showing support from 10 properties. As Officers do not have delegation to determine applications where objections have been received, these applications are referred to Council for a decision.

The applications are considered to comply with the provisions of the Town Planning Scheme No. 3 (TPS3) and relevant state and local planning policies. Both applications are therefore recommended for approval with appropriate conditions, as detailed in the Officer's Recommendation.

Location Plans





Background

Two applications are being presented to Council in this report, as they are interrelated. The first is an application for Cellar Door Sales on Lot 1894 King Tree Road (the subject land), where the applicant has operated a vineyard for many years. The cellar door incorporates two modular buildings with decking extending to the edge of an existing large dam.

The second application proposes to remove three trees along the access track located on the adjoining Lot 6 (63) King Tree Road, to widen parts of the track. The applications are for separate approvals on separate land parcels, and hence two approvals are sought. Copies of the full applications are contained in (Appendix ORD: 12.2A).

The maps above show the subject land, which is zoned 'General Farming' under the Shire of Dardanup Town Planning Scheme No. 3. The subject land is a landlocked title, in three parts, and is approximately 83ha in total. It is an irregular shape and very steep through the forested parts. The majority of its boundaries adjoin State Forest and Regional Open Space. In the south western corner however, the lot adjoins three small rural lots, which contain various rural pursuits, such as grazing and vineyards.

Access to the subject land is via a carriageway easement which runs along the northern boundary of Lot 6 (63) King Tree Road, and another small carriageway easement on Lot 50 on P65011. Both of the easements grant a right of access to the subject land. The vegetation removal and track widening works are proposed within the easement on Lot 6.

To secure legal access to the existing track for an Emergency Access Way (EAW), the applicant has provided a Deed of Easement agreement over a track on lots 50 and 51 (shown as a dashed line on the map above). The proposed easement does not require development approval. A copy of the existing easements and the Deed of Easement for EAW are contained in (Appendix ORD: 12.2B)

Legal Implications

Appeal rights exist through the State Administrative Tribunal for the applicant.

Strategic Community Plan

Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)

- Strategy 2.1.1 - To protect and preserve open spaces, natural vegetation and bushland. (Service Priority: Very High)
- Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)
- Strategy 4.1.3 - To encourage business to develop: Support the capacity of local firms and industry to establish, grow and employ. (Service priority: Moderate)
- Strategy 4.2.1 - To be a visitor destination: Become a choice destination for tourists, visitors and our own residents. (Service Priority: Very High)
- Strategy 4.2.3 - Foster and promote the Ferguson Valley as a tourism destination. (Service Priority: Very High)

Environment

Three trees in the easement on Lot 6 (63) King Tree Road are proposed to be removed, and widening of the track undertaken in some areas. Officers consider that these works will not have any significant environmental impacts.

The Shire's Environmental Officer noted that, at the time of the site visit, it did not appear that the trees to be removed contained nest hollows for any species of Black Cockatoo or Western Ringtail possum.

The land is not connected to reticulated sewer and therefore a waste water disposal system will be required. The application was referred to DWER for comment as discussed in the schedule of submissions in this report. Compliance with the new Government Sewerage Policy will need to be demonstrated.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP011 Tourism Policy. The application has been assessed against the policy and is discussed in the section 'officer comment' below. The proposal is considered to comply with the policy.

Risk Assessment - Low.

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.2D) for the risk assessment document.

Tier 2 – Low or Moderate Inherent Risk	
Risk Events	Development Approval – Lot 1894 King Tree Road and Lot 6(63) King Tree Road – Cellar Door Sales and Associated Works – (Talisman Wines)
Inherent Risk Rating (prior to treatment or control)	Moderate (5-11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Health Risk – Fire risk mitigation may not be managed by the applicant to an appropriate standard. • Legal and Compliance Risk – The Shire may need to undertake compliance/enforcement proceedings if DA Conditions are not complied with. • Environment Risk – Damage to environment may result if waste water is not correctly managed.

Officer Comment

The application was advertised to the owners of properties within 500m of the proposed development site, for a period of 21 days. One public submission (objection) was received. Along with a response to the public objection, the applicant also submitted a petition signed by residents at 10 properties in Japonica View, showing support for the proposal, and a letter from the Geographe Wine Industry Association showing support for the proposal. Both of the submissions of support, as noted above, are included in (Appendix ORD: 12.2C).

The proposal was also referred to relevant agencies.

The main themes of the agency submissions were:

- Waste water disposal
- Native Vegetation Removal
- Bushfire Protection Measures

Lot 1894 is not within the mapped 'sewage sensitive areas' of the 'Government Sewerage Policy (2019)' (GSP). The requirement for separation to the water table will be assessed by the Shire's Environmental Health Officers when a permit to install a septic system is applied for, however Officers consider that there is sufficient area on the subject land to be able to comply with GSP.

DWER did not raise any concern with the clearing proposed (although it will likely require a clearing permit), and the Department of Biodiversity, Conservation and Attractions (DBCA) also had no objection to the proposals. Department of Fire and Emergency Services (DFES) raised concern with the remoteness of the location from the public road network, and with the lack of any secondary access/egress road to provide an alternative escape route in the event of a bushfire. The applicant has now proposed an emergency access way via an easement over lots 50 and 51, as discussed later in this report. The track is considered by officers to provide a suitable secondary exit from the subject land in the case of an emergency, despite being longer than the stipulated 600m in State Planning Policy 3.7.

Officers consider a condition requiring formalisation of the easement on lots 50 and 51, prior to the use of the Cellar Door commencing, to be appropriate. Officers are also recommending directional signage at the western end of the proposed emergency access way easement (near the existing yards), and that copies of the Emergency Evacuation Plan be displayed at all times within the Cellar Door building. The public objection discussed the following matters:

- Traffic on easement;
- Noise and dust on easement;
- Reduction of privacy to objectors property; and
- Safety and impact to horses.

Officers recognise that the approval of the cellar door will increase traffic on the easement on Lot 6, however it is considered that with the upgrade to the track and the small scale of the cellar door proposed, traffic impacts can be satisfactorily managed through approval conditions. The applicant has agreed to install 10km speed limit signage on the easement, upgrading the track to a suitable trafficable surface, and to planting a screen of vegetation along the objectors' southern boundary. Officers note that currently truck movements along the easement, to and from the yards at the end of the easement on Lot 50, are 'as of right', and do not consider it appropriate or necessary to require the track in the easement to be bitumised as requested by the objectors.

The objectors' round yards have been installed approximately 5.5m from the boundary with the existing carriageway easement, which is within the 20m setbacks required in the General Farming zone. The square yards have been installed approximately 10m from the boundary. The objectors' decision to

locate their horse facilities opposite the existing easement, which provides unfettered access at any time of the day or night for any type of vehicle to lots beyond the objectors' land, is not considered reasonable justification to restrict development on any other lots benefitting from use of the easement.

Directional signage near the intersection of Weetman Road and the existing easement is recommended as a condition of approval, and has been agreed to by the applicant, to protect the privacy of the adjoining landowners. The physical junction of Weetman Road and the easement is within the road reserve for Weetman Road. The applicant would need to apply to the Shire for directional signage in the road reserve, and officers consider that this is an appropriate condition of approval.

The submissions, the officer's response and the applicant's response are included in (Appendix ORD: 12.2C)

The proposals have been assessed against the relevant planning provisions, being:

- Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 67 – Matters to be considered by Local Government
- Greater Bunbury Region Scheme – Clause 27
- Town Planning Scheme No .3 (TPS3)
 - Part 2.2 - Objectives of the zone
 - Part 4.1 - Car Parking
 - Part 4.2 - Landscaping
 - Part 5.2.2 - Landscape Protection Area
- CP011 – Tourism Policy
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Wellington Mill Structure Plan

Each of the relevant provisions are discussed in turn below. For clarity, the proposals have been discussed together as one in the sections below. However, as two applications were received, the officer recommendations relate to each application individually.

- *Planning and Development (Local Planning Schemes) Regulations 2015 (Planning Regulations)*

Clause 67 of the Planning Regulations contains a list of matters to be considered by Local Government when determining an application for Development Approval. The relevant matters to be considered pursuant to Clause 67 are addressed below.

The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

Compliance with the provisions of TPS3 is addressed later in this report. The proposal is considered to comply.

Any structure plan, activity centre plan or local development plan that relates to the development;

Assessment against the Wellington Mill Structure Plan is discussed later in this report. The proposal is considered to comply.

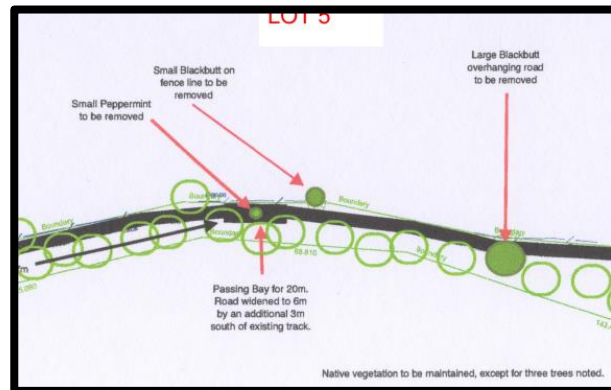
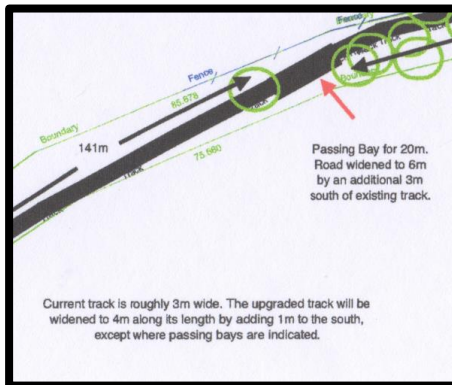
The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

The proposed development is a single storey building, comprising two modular structures and a timber deck. The overall 'bulk' and 'scale' is comparable to that of a small dwelling. Officers consider the bulk and scale of the proposed development to be generally in keeping with that on nearby lots.

The amenity of the locality including the following —

- (i) *environmental impacts of the development;*
- (ii) *the character of the locality;*
- (iii) *social impacts of the development;*

No environmental impacts are expected to result. A small amount of native vegetation is proposed to be removed within the easement on Lot 6, however this is not expected to have any significant environmental impact, nor will it change the character of the area, which is predominantly rural.



The scale of the activity and development proposed is not expected to result in negative social impacts. The cellar door opening hours proposed are daylight hours only, and no live entertainment is proposed.

The cellar door is intended for wine tasting and sales only. Under the provisions of the Liquor Control Act 1988, the applicant will need to apply for a Section 40 Certificate in order to gain a liquor licence for the cellar door, and will also need to comply with the conditions of the Development Approval. The applicant has advised officers in writing that no events are proposed. Any additional uses would likely require further Development Approval.

The works proposed within the subject land have a small footprint and are nestled within a treed area which will provide some 'softening' of the built form. Officers are nevertheless recommending some screen planting between the carpark and the boundary to the west to further screen the development from the adjoining property. The applicant has agreed to the installation of the abovementioned screening vegetation.

Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;

No vegetation is proposed to be removed on the subject land. As discussed above, landscaping is recommended as a condition of approval prior to the use commencing.

The suitability of the land for the development taking into account the possible risk to human health or safety;

The Officers assessment of the proposal having regard to fire risk, waste water disposal and traffic management are discussed in the schedule of submissions and later in this report.

The adequacy of —

- *the proposed means of access to and egress from the site; and*
- *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*

The existing easement on Lot 6 provides vehicular access to the subject land. The proposal includes road widening in parts of the easement and a small amount of vegetation removal.

Council's Engineering Department has advised that the track will need to be upgraded, and this is recommended as a condition of approval (at the applicant's expense), prior to the use commencing.

The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;

As discussed in the schedule of submissions, the cellar door will increase the amount of traffic using the existing easement track, however, is not considered likely to result in any negative impacts due to the small scale of development proposed.

The availability and adequacy for the development of the following —

- *public transport services;*
- *public utility services;*
- *storage, management and collection of waste;*
- *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
- *access by older people and people with disability;*

There is no public transport available in the area. No bicycle facilities are proposed, nor are any considered necessary as the lot is not close to a town.

The development is not expected to significantly increase the load on public utilities. Reticulated power is the only public utility available to the lot.

Waste will be managed by disposing of recyclables and waste at an authorised waste management facility. Officers consider that waste can be effectively managed, and suggest standard conditions on the Development Approval for odour management and to screen the bin areas from neighbouring lots.

The plan shows a ramp to the entry between the two buildings to provide universal access. The development will need to be designed to comply with AS1428.1, the *Disability (Access to Premises – Buildings) Standards 2010*, and the Building Code of Australia, and will be assessed through the Building Approval process. The Shire's Principal Building Surveyor did not raise any concerns with the proposal.

The history of the site where the development is to be located;

The land has been used for approximately ten years for a vineyard, and contains a large rural shed near the western boundary, north of the proposed development site.

The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;

The proposal is expected to have a positive impact on the wider community by providing an additional tourist 'offering' in the region. The Ferguson Valley is becoming well known for tourism, and wine making in particular. Council's Tourism Policy (CP011) is supportive of developing the tourism industries in the Ferguson Valley.

Any submissions received on the application;

All submissions have been discussed earlier in this report in the Schedule of Submissions (Appendix ORD: 12.2C).

Greater Bunbury Region Scheme (GBRS) – Clause 27

The subject land also abuts State Forest and therefore requires GBRS approval in accordance with schedule 1 part 4. The proposal was referred to DBCA in accordance with the referral requirements in schedule 2 of the GBRS. DBCA provided unconditional support. The Shire has delegation to approve this

proposal under the GBRS, as per the officer recommendation.

No approval under the GBRS is required for the works within the easement on Lot 6.

Town Planning Scheme No. 3 (TPS3)

The Shire of Dardanup Town Planning Scheme (TPS3) applies to the subject land. The objectives of TPS3 are:

- to zone the Scheme Area for the purposes in the Scheme described;
- to secure the amenity, health and convenience of the Scheme Area and the inhabitants thereof;
- to make provisions as to the nature and location of buildings and the size of lots when used for certain purposes;
- the preservation of places of natural beauty, of historic buildings and objects of historical and scientific interest; and
- to make provision for other matters necessary or incidental to town planning and housing.
- to consolidate the urban areas of Dardanup, Burekup and Eaton and to control the building on those areas of new structures between or adjacent to existing buildings;
- to provide for the development of that part of the Picton Industrial Complex that lies within the Scheme Area;
- to make provision for the development of small holding areas to meet the needs of the District;
- to plan for the development of a major road and trunk services network generally in accordance with the Bunbury sub-regional plan prepared by the Bunbury Regional Planning Committee; and
- to protect areas of significant agricultural value particularly those in irrigation districts from conflicting land uses.

TPS3 defines 'Cellar Door Sales' as: *“the sale of beverages such as wine, cider, beer or similar products either alcoholic or non-alcoholic, from grapes or other fruit grown on-site, and made into beverages on-site”*.

The subject land is zoned 'General Farming' in TPS3. Cellar Door Sales is a discretionary use ('D Use') in the zone. The proposal complies with the objectives of the zone which are:

- To provide for a wide variety of productive farming activities, ranging from broad acre grazing to horticulture, which are compatible with the capability of the land and retain the rural character and amenity of the locality.
- To protect areas of significant agricultural value, particularly those in irrigation districts, from conflicting land uses.
- To facilitate low-key tourist development where it is incidental to the use of the land for farming purposes and where land use conflict can be minimised.

No negative impacts to agriculture are expected to result. The development proposed has a small building footprint, and is considered to be a 'low-key' tourist development at the scale proposed. It is incidental to the existing agricultural use of the land for a vineyard.

Hours of operation

The application states that the cellar door will be staffed by 1-2 persons only, and will be open the following hours:

- Friday to Monday: 11am – 4.40pm; and
- Via appointment.

Officers consider it reasonable to restrict the 'via appointment' hours to daylight hours only, unless with prior written consent of the Shire, to protect the amenity of nearby dwellings.

Landscaping

Landscaping plans are recommended as a condition of approval, and would need to be submitted and approved prior to the use of the cellar door commencing. The plans will need to demonstrate that the landscaping proposed:

- a) retains the rural character of the area;
- b) protects the amenity of the neighbouring lot to the west by screening the car parking area to an acceptable degree; and
- c) does not increase the fire risk in the area.

Car parking:

TPS3 does not specify a parking rate for Cellar Door Sales. The car parking area proposed is approximately 289m², which is expected to be able to accommodate up to 14 vehicles. Officers have assessed the carpark proposed and consider it to be a suitable size relative to the size of the cellar door. However, officers suggest a car parking plan to be a condition of approval so as to maximise the use of the parking area, and to reduce the visual impact. Officers do not anticipate that the parking area would need to be sealed, but would require parking bays to be identified by markers or similar guides.

Landscape Protection Area

The proposed development has been assessed against the provisions of the Landscape Protection Area, as discussed below:

- *The areas included within Landscape Protection Areas are considered to be areas of significant landscape beauty.*

The proposed development is not visible from any nearby roads. The small footprint and modest design are not considered to detract from the surrounding landscape.

- *Buildings and associated services should be regarded as being secondary to the natural features of the area and should not usually be permitted in visually exposed areas.*

The buildings are single storey and are approximately 13.2m in length. The buildings are proposed to be nestled within a treed area which acts to soften the impact of the buildings in the landscape.

Vegetation

Three trees are proposed to be removed within the easement on Lot 6. The Shire's Environmental Officer advised that it did not appear that any trees to be removed contained nest hollows for any species of Black Cockatoo or Western Ringtail Possum at the time of the site visit. No vegetation in the subject lot is proposed to be removed.

- *CP011 – Tourism Policy*

Council Policy CP011 aims to promote tourism ventures in the Shire, taking into consideration "the welfare of the whole community when supporting tourism development and the provision of facilities" and "the social, cultural, economic and environmental impact of the proposal within the area".

CP011 states that Council “will demand a high standard of design and aesthetics in all forms of tourist development”. The proposal is considered to be consistent with the objectives and policy statements, as discussed in this report.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The BAL assessment determined a post-development Bushfire Attack Level (BAL) of BAL-12.5, which officers consider can be supported with appropriate conditions. The creation of an Asset Protection Zone surrounding the building can achieve BAL12.5 without the need to remove any remnant native vegetation on the subject lot, however, some removal of non-native species and pruning may be required, and slashing of ground fuel/grass. The Asset Protection Zone will need to be managed and maintained in a low fuel state in perpetuity, in accordance with the Bushfire Management Plan (BMP) prepared for the site.

Two way access is not possible to a public road as the land is effectively landlocked. Access to Weetman Road is via the easement on Lot 6. To address the requirement for two way access, the applicant has provided a Deed of Easement agreement with the owner of the adjoining lots 50 and 51 to enable a secondary emergency access to the development.

The proposed easement will contain an existing track, which runs from the entrance of the subject land in an easterly direction, and then turns south to connect with King Tree Road. The proposed easement will enable legal access to the track and therefore comply with the requirement for secondary access (Emergency Access Way). Exit routes from the subject land will then be available to the west to Weetman Road and to the south-east to King Tree Road. As visitors to the Cellar Door may not be familiar with exit routes and the surrounding road network, it is appropriate to require directional signage at the western end of the proposed EAW.

A 10,000L water tank for fire-fighting is proposed near the entrance to the subject lot. It is also noted that the buildings are located on the edge of a large dam. An Emergency Evacuation Plan has been prepared along with the Bushfire Management Plan.

The proposal has been referred to DFES. The schedule of submissions and this report provides details of DFES’ comments and the officer’s response to the issues raised.

Position Statement: Tourism land uses in bushfire prone areas

In October 2019, the Western Australian Planning Commission released a position statement to guide local governments in planning for tourism land uses within bushfire prone areas. The position statement recognises that many tourism ventures are “*intrinsically linked to the natural landscape values of an area and often, to the remoteness of the location*”. This is particularly relevant to this proposal which is remotely located, and is sited so as to take in the vista across the large dam and the surrounding bush.

Amongst other bushfire protection measures, the position statement suggests measures for proposed tourism land use development within BAL-40 or BAL-FZ and/or where access is limited, such as early evacuation and closure on elevated fire risk days. The Bushfire Emergency Evacuation Plan prepared for the site states that the cellar door may be subject to closure if weather conditions reach a ‘catastrophic’ Fire Danger Rating (FDR), being the highest FDR.

The DFES website advises that if an ‘extreme’ FRD day is expected in an area (being the second highest FDR), “*If a fire starts and takes hold, it will be uncontrollable, unpredictable and fast moving*”. Therefore, given the remote location from the public road network and the fire risk in the broader landscape area, officers consider it appropriate to require closure on days when the FDR is ‘extreme’ and ‘catastrophic’, an amendment to the Bushfire Emergency Evacuation Plan to reflect this matter has been included in the Officers recommendation.

Officers consider that the proposal meets the intent of the bushfire protection measures in SPP3.7 and can be approved with appropriate conditions.

Wellington Mill Structure Plan

The proposal is consistent with the structure plan, which does not determine land uses in this case.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION "A"

THAT Council APPROVES the development application contained within attachment (Appendix ORD: 12.2A) for 'Cellar Door Sales' at Lot 1894 King Tree Road under the Shire of Dardanup Town Planning Scheme No.3 and the Greater Bunbury Region Scheme, subject to the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Dardanup stamp, except where amended by other conditions of this consent.

P1 (Site Plan) received at the Shire's Offices on 14.5.2019;
 P2 (Floor Plan) received at the Shire's Offices on 13.5.19;
 P3 (Elevation Plan) received at the Shire's Offices on 13.5.19;
 P4 (Elevation Plan) received at the Shire's Offices on 13.5.19;
 P5 (Elevation Plan) received at the Shire's Offices on 13.5.19; and
 P6 (Elevation Plan) received at the Shire's Offices on 13.5.19.

2. Prior to development commencing:
 - a) A scaled and dimensioned car parking plan must be submitted to and approved by the Shire, which shows how car parking spaces will be suitably identified. The plan must show car parking spaces and traffic aisle widths that comply with the relevant standards for on-site car parking.
3. Prior to the use of the Cellar Door Sales commencing:
 - a) An application for directional signage in the Weetman Road reserve, near the junction of the easement on Lot 6 P022113, must be made to and approved by the Shire, to provide direction to the approved Cellar Door development;
 - b) The directional signage approved in condition 2(a) above must be installed to the satisfaction of the Shire;
 - c) An carriageway easement over the track on Lot 50 and Lot 51 P065011, to benefit Lot 1894 P125382 must be lodged on the title to the lots and following that, a copy of each of the titles provided to the Shire;

- d) Directional signage must be installed at the western end of the proposed emergency access way easement (near the existing yards), clearly indicating the Emergency Access Way (EAW) to King Tree Road, to the satisfaction of the Shire;
 - e) Signage must be installed by the applicant in the carriageway easement on Lot 6 P022113, showing a maximum speed limit of 10kph.
 - f) Landscaping Plans are required to be submitted to and approved by the Shire, which demonstrate that the landscaping proposed:
 - i) retains the rural character of the area;
 - ii) shows screening planting between the approved car parking area and the western boundary of the subject land; and
 - iii) does not increase the fire risk in the area;
 - g) The approved Landscaping Plan must be implemented, and maintained thereafter to the satisfaction of the Shire;
 - h) The access way in the easement on Lot 6 P0022113 must be upgraded and constructed in an all-weather surface to the satisfaction of the Shire;
 - i) Visitor parking bays and associated traffic aisles shall be constructed, permanently marked for the exclusive use by visitors to the property, and be clearly visible from the driveway, in accordance with the approved plans;
 - j) A rubbish storage area shall be provided, located and screened from the view of all adjoining lots to the satisfaction of the Shire; and
 - k) The Bushfire Emergency Evacuation Plan must be amended to state that the Cellar Door must be closed to the public on days when the Fire Danger Rating is or is expected to be 'extreme' or 'catastrophic'.
4. The hereby approved development shall not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.

Discussion:

Cr. P S Robinson moved the resolution with Cr. P R Perks seconding the resolution.

Cr. T G Gardiner requested an Amendment to the Motion to change clause 3 (h) to include the requirement for the access way in the easement on Lot 6 P00222113 to be upgraded and constructed with seal from the entrance off Weetman Road through to a point 50 meters beyond the existing horse yards on the adjoining Lot 5 and an all-weather surface to be installed from there through to Lot 1894 to the satisfaction of the Shire.

Cr. P S Robinson agreed to accept the changes as the Mover for the motion, as did Cr. P R Perks as the Seconder.

Change to Officer Recommendation - No Change.

**OFFICER RECOMMENDED RESOLUTION "A"
& COUNCIL RESOLUTION**

MOTION MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks
LOST

THAT Council APPROVES the development application contained within attachment (Appendix ORD: 12.2A) for 'Cellar Door Sales' at Lot 1894 King Tree Road under the Shire of Dardanup Town Planning Scheme No.3 and the Greater Bunbury Region Scheme, subject to the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Dardanup stamp, except where amended by other conditions of this consent.

P1 (Site Plan) received at the Shire's Offices on 14.5.2019;
P2 (Floor Plan) received at the Shire's Offices on 13.5.19;
P3 (Elevation Plan) received at the Shire's Offices on 13.5.19;
P4 (Elevation Plan) received at the Shire's Offices on 13.5.19;
P5 (Elevation Plan) received at the Shire's Offices on 13.5.19; and
P6 (Elevation Plan) received at the Shire's Offices on 13.5.19.

2. Prior to development commencing:
 - a) A scaled and dimensioned car parking plan must be submitted to and approved by the Shire, which shows how car parking spaces will be suitably identified. The plan must show car parking spaces and traffic aisle widths that comply with the relevant standards for on-site car parking.
3. Prior to the use of the Cellar Door Sales commencing:
 - a) An application for directional signage in the Weetman Road reserve, near the junction of the easement on Lot 6 P022113, must be made to and approved by the Shire, to provide direction to the approved Cellar Door development;
 - b) The directional signage approved in condition 2(a) above must be installed to the satisfaction of the Shire;
 - c) An carriageway easement over the track on Lot 50 and Lot 51 P065011, to benefit Lot 1894 P125382 must be lodged on the title to the lots and following that, a copy of each of the titles provided to the Shire;
 - d) Directional signage must be installed at the western end of the proposed emergency access way easement (near the existing yards), clearly indicating the Emergency Access Way (EAW) to King Tree Road, to the satisfaction of the Shire;
 - e) Signage must be installed by the applicant in the carriageway easement on Lot 6 P022113, showing a maximum speed limit of 10kph.

- f) Landscaping Plans are required to be submitted to and approved by the Shire, which demonstrate that the landscaping proposed:
 - i. retains the rural character of the area;
 - ii. shows screening planting between the approved car parking area and the western boundary of the subject land; and
 - iii. does not increase the fire risk in the area;
 - g) The approved Landscaping Plan must be implemented, and maintained thereafter to the satisfaction of the Shire;
 - h) The access way in the easement on Lot 6 P00222113 must be upgraded and constructed with seal from the entrance off Weetman Road through to a point 50 meters beyond the existing horse yards on the adjoining Lot 5 and an all-weather surface to be installed from there through to Lot 1894 to the satisfaction of the Shire.
 - i) Visitor parking bays and associated traffic aisles shall be constructed, permanently marked for the exclusive use by visitors to the property, and be clearly visible from the driveway, in accordance with the approved plans;
 - j) A rubbish storage area shall be provided, located and screened from the view of all adjoining lots to the satisfaction of the Shire; and
 - k) The Bushfire Emergency Evacuation Plan must be amended to state that the Cellar Door must be closed to the public on days when the Fire Danger Rating is or is expected to be 'extreme' or 'catastrophic'.
4. The hereby approved development shall not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.
5. Opening hours for the approved Cellar Door are restricted to:
 - a) Friday to Monday: 11am – 4.30pm; and
 - b) during daylight hours only, via appointment,Unless with the prior written approval of the Shire.
6. Notwithstanding any other condition of this approval, the cellar door must not be open to the public at any time if the fire danger rating is 'extreme' or 'catastrophic'.
7. Copies of the Emergency Evacuation Plan must be displayed at all times within the Cellar Door building, in locations that are visible to both customers and staff.
8. No live or amplified music is permitted prior to the applicant submitting and the Shire approving a Noise Management Plan and/or an acoustic report that has been prepared by a suitably qualified professional to the satisfaction of the Shire.
9. No events are permitted on Lot 1894 King Tree Road unless with prior approval of the Shire, or unless otherwise exempt.

Advice Notes

- Note 1.** If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- Note 2.** Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3.** With regard to conditions 3a), 3d) and 3h), the applicant is encouraged to contact the Shire's Engineering Department on 9724 0308 to discuss the requirements to be met.
- Note 4.** Please be advised that this is not a Building Permit. A Building Permit should be obtained prior to commencement of any alterations to the existing building.
- Note 5.** "Approval to construct a public building" will be required when Building Approval (BA) is applied for, to ensure that the proposed building work is consistent with the Public Buildings Regulations.
- Note 6.** The Premises is required to comply with the requirements of the *Food Standards Code* and *AS 4674-2004*.
- Note 7.** Application must be made to install a septic system, and approval issued before work commences. This may need to be processed by the Department of Health.
- Note 8.** Adequate provisions must be made for a water supply meeting the *Australian Drinking Water Guidelines* for potable use. Water supply must be included in the Shire of Dardanup water monitoring program, and water treatment will be required if water testing shows water supply is not consistently producing potable water.
- Note 9.** Before the use of the premises commences, the following approvals will be required to be obtained:-
- a) "Permit to use septic apparatus"
 - b) "Public Building Approval Certificate"
 - c) "Food Business Registration Certificate" must be reissued to include the new premises and amended risk level of the food business.
 - d) An appropriate liquor licence. Please note that you will need to apply for a 'Section 40' certificate from the Shire to accompany your liquor licence application.
- Note 10.** Customer toilets (male and female) must be provided in accordance with the requirements of the Building Code of Australia if more than 20 patrons are on the premises at any one time, including any outside areas used in conjunction with the transportable buildings.

Note 11. Western Power has provided the following advice:

- a) Development shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict. Proponents should refer to <https://westernpower.com.au/safety/360-aware/industry-safety/>
- b) It is recommended that the proponent engages a suitably qualified independent person (surveyor, architect, engineer) to undertake an assessment of the proposed development to ensure that best methods of construction are utilised, and compliance with all applicable laws (including clearance requirements of electrical infrastructure in general and those specified under Occupational Safety and Health Regulations 1996 (WA)).

Note 12. This land is within a Bushfire Prone Area as designated by an Order made by the Fire and Emergency Services Commissioner, and is subject to a Bushfire Management Plan (Working on Fire Planning, ref 20190213, version 2.0). It is the land owners' responsibility to implement the actions of the Bushfire Management Plan, and manage the land in accordance with the Bushfire Management Plan in perpetuity, unless amended.

Note 13. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

LOST
2/5

Discussion:

Chief Executive Officer, Mr André Schönfeldt advised councillors that as the previous motion had been lost, they could either move a motion to formally refuse the application and provide their reasoning for the refusal; or alternatively leave the application to lapse whereby it would automatically be refused without reasons provided.

COUNCIL RESOLUTION

332-19 MOVED - Cr. M T Bennett SECONDED - Cr. S Gillespie

THAT Council REFUSES the development application contained within attachment (Appendix ORD: 12.2A) for 'Cellar Door Sales' at Lot 1894 King Tree Road under the Shire of Dardanup Town Planning Scheme No.3 and the Greater Bunbury Region Scheme, for the following reasons:

1. **Concerns held regarding the fire risk in the area and the emergency access;**
2. **The environmental concerns regarding possums and phascogales in the area;**
3. **Concerns held regarding potential impacts on the amenity of the area; and**
4. **Concerns held regarding the potential impacts on drainage with regards to the access way easement.**

CARRIED
5/2

Note: Cr. S Gillespie left the room. [6.00pm]

AND

OFFICER RECOMMENDED RESOLUTION "B"

THAT Council APPROVES the development application contained within attachment Appendix ORD: 12.2A for 'native vegetation removal and works within a carriageway easement' at Lot 6 (63) King Tree Road under the Shire of Dardanup Town Planning Scheme No.3, subject to the following conditions:

- 1) The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Dardanup stamp, except where amended by other conditions of this consent.

P1 (Aerial Photo Plan) received at the Shire's Offices on 12.4.2019; P2 (Easement Works Plan) received at the Shire's Offices on 16.5.2019

Advice Notes:

- Note 1. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- Note 2. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3. A Clearing Permit may be required from the Department of Water and Environmental Regulation (DWER) prior to any clearing of native vegetation.
- Note 4. Western Power has provided the following advice:
 - a) Development shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict. Proponents should refer to <https://westernpower.com.au/safety/360-aware/industry-safety/>
 - b) It is recommended that the proponent engages a suitably qualified independent person (surveyor, architect, engineer) to undertake an assessment of the proposed development to ensure that best methods of construction are utilised, and compliance with all applicable laws (including clearance requirements of electrical infrastructure in general and those specified under Occupational Safety and Health Regulations 1996 (WA)).
- Note 5. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Note: Cr. S Gillespie returned to the room. [6.02pm].

Discussion:

As the previous resolution had been refused, Cr. M T Bennett moved an alternate resolution to refuse Officer Recommended Resolution B, in line with Resolution A.

COUNCIL RESOLUTION

333-19 MOVED - Cr. M T Bennett SECONDED - Cr. J Dow

THAT Council refuses the development application contained within attachment Appendix ORD: 12.2A for 'native vegetation removal and works within a carriageway easement' at Lot 6 (63) King Tree Road under the Shire of Dardanup Town Planning Scheme No.3, for the following reasons:

- 1. Concerns held regarding the fire risk in the area and the emergency access;**
- 2. The environmental concerns regarding possums and phascogales in the area;**
- 3. Concerns held regarding potential impacts on the amenity of the area; and**
- 4. Concerns regarding the potential impacts on drainage with regards to the access way easement.**

CARRIED
7/0

Note: Cr. M Hutchinson returned to the room. [6.03pm]

Note: Manager Governance & HR, Ms Cathy Lee left the room along with the members of the public. [6.04pm]

Note: Manager Governance & HR, Ms Cathy Lee returned to the room [6.05pm].

12.3 Title: New Policy – CP090 - Community Engagement Policy

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
Legislation: Local Government Act 1995

Overview -

This report is provided to Council for their review and adoption of the Community Engagement Policy and related Framework.

Background -

The Shire's Strategic Plan identified the need to develop a Community Engagement Policy and Procedures. The proposed framework has been developed using the International Association for Public Participation (IAP2) model, which identifies and defines various levels of community engagement.

The framework includes a matrix which has been developed to determine the level of community engagement necessary for individual projects and initiatives. By using the framework, Shire officers will determine the level of political interest, community impact and groups of stakeholders who need to be engaged, and at what level.

It is intended that framework and matrix will provide an objective, transparent decision making process for community engagement.

The draft framework is now presented for Council's adoption.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)

Strategy 1.6.1- Provide opportunities for the community to engage with Councillors and Staff. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

New Policy to be created and adopted.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.3A) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	New Policy –CP090 – Community Engagement Policy
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Legal and Compliance Risk – Non-compliance with meeting procedures could lead to penalties being imposed on the Shire. • Reputational Risk – Non-compliance will impact on the Shire’s business reputation.

Officer Comment

The Framework is relevant to many activities undertaken by the Shire and aims to provide a clear statement and guidelines for how the Shire will engage with the community. Using the Framework will facilitate improved decision making based on increased knowledge of community need, aspirations and strengths. This will also help in targeting Shire of Dardanup’s resource and service priorities.

The Shire’s Community Engagement Framework consists of four parts:

- The Policy, which underpins this Framework and provides a clear policy statement to ensure the community is aware and empowered to participate in civic life;
- This Framework Document (Appendix ORD: 12.3B) to provide transparent and accountable procedures for how the Shire of Dardanup will engage with the community;
- The Operational Procedure: A 10 Step Guide to Community Engagement (Appendix ORD: 12.3C), to guide staff and consultants through the decision-making process on considering engagement levels, tools and activities; and
- The Toolkit (Appendix ORD: 12.3D), which will provide a template community engagement plan to help staff and consultants develop engagement plans that are appropriate, relevant and consistent across the organisation.

The framework provides a comprehensive approach to community engagement by using two different types of Community based Advisory Groups that are both Place Based and Topic Based. By implementing this approach Council will replace the previous Townscape Committees with Advisory Groups that consider a more holistic place making approach than just considering elements related to townscapes. In addition to the Place Based Advisory Groups, Council has also established topic specific advisory groups. These advisory groups will allow more informal engagement by community members, groups, sporting clubs or businesses on topics related to arts, culture, sport and recreation, economic development, environmental sustainability, waste and roadsafety.

Whilst the Advisory Groups will be central to the engagement approach other aspects associated with engagement in particular in relation to major capital or strategic operational projects will also require the development of Community Engagement Plans based on the Framework and its incorporated templates.

Once the framework and policy are adopted by Council, Shire officers will undertake internal training and integrate the policy and framework into existing project management, budget development and

Council agenda item processes to ensure implementation. It is also proposed that consultants who are undertaking work for the Shire will be required to use the framework where appropriate.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

334-19 MOVED - Cr. P S Robinson SECONDED – Cr. T G Gardiner

THAT Council adopt the Community Engagement Policy as follows and the associated Framework document as provided for in Appendix ORD: 12.3B:



POLICY NO:-
CP090 COMMUNITY ENGAGEMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION					
History:					
Version:	1	CP128	OCM 27/11/19	Res: 334-19	Synopsis: Policy Created

1. RESPONSIBLE DIRECTORATE

Directorate – Chief Executive Officer

2. PURPOSE OR OBJECTIVE

This community engagement policy seeks to build a two-way communication process between the Shire of Dardanup and the community. It also aims to ensure effective public participation is offered to appropriate stakeholders on Shire of Dardanup projects and programs. Through engaging the community the Shire of Dardanup would like to continue to build on the strong relationship with the community and to obtain the best possible results for the Shire and the community.

3. DEFINITIONS

Program	Long term initiative (across financial years) that includes several elements or localities and has broad aims and objectives.
Project	One off initiative, having specific objectives and focusing on a single element or locality.
Initiative	A new service, facility, process, policy, asset or plan.
Stakeholders	Individuals or groups who are likely to be affected either physically or financially or with interest in, the project or program e.g. adjacent residents, ethnic groups, absent owners, community groups and sporting clubs.

4. POLICY

- Engagement and participation shall be considered for all Shire of Dardanup projects, programs and initiatives.

- Community engagement shall be specifically planned within the development and implementation schedule of the given program, project or initiative.
- Emphasis will be on ensuring the appropriate groups of stakeholders are engaged at the appropriate level so that Shire resources and services are in line with community needs, aspirations and strengths.
- Officers will use the Community Engagement Framework to decide when and at what level community engagement should occur, and to ensure a coordinated and consistent approach across the organisation.

5. REFERENCE DOCUMENTS

- Community Engagement Framework
- Community Engagement Procedure – 10 Steps Guide
- Community Engagement Toolkit

CARRIED
7/1

12.4 Title: New Policy – CP088 – Forums of Council- Concept Forums, Agenda Forums and Workshops

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
Legislation: Local Government Act 1995

Overview -

To adopt formal rules, process and structure for Forums of Council, being Concept Forums, Agenda Forums and Workshops.

Background -

The Shire of Dardanup have held Briefings, Agenda Forms and Working Groups in the past with positive results.

In line with good governance practices, a policy has been developed to clarify the role of each forum and ensure that there is sufficient opportunity for elected members to discuss issues outside of the formal ordinary meeting process.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)

Strategy 1.1.2- Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Strategy 1.1.3- Maintain best practice governance systems and practices. (Service Priority: Moderate)

Strategy 1.6.1- Provide opportunities for the community to engage with Councillors and Staff. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

New Policy to be created and adopted.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4A) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	New Policy – CP088 – Forums of Council – Concept Forums, Agenda Forums and Workshop
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Legal and Compliance Risk – Non-compliance with meeting procedures could lead to penalties being imposed on the Shire. • Reputational Risk – Non-compliance will impact on the Shire’s business reputation.

Officer Comment -

The Department of Local Government and Communities [DLGC] ‘Local Government Operational Guidelines Number 05 – Council Forums’ (Appendix ORD: 12.4B) provides Council guidance on procedural controls for local government forums.

“With most local governments, elected members need opportunities to discuss issues outside of the formal ordinary meeting process. The Department acknowledges this approach because those elected members that have the maximum opportunities for input will obtain the greatest satisfaction emanating from their time in local government.

The opportunity for input can be best gained through forums or committees of the full Council.

Councils that wish to hold forums of either the concept or agenda type are encouraged to adopt rules and processes that are in line with these guidelines. This will assist with openness and accountability, minimise public criticism and lead to a more effective and efficient local government.”

- *Concept Forums*

The Chief Executive Officer and Council generally meet one hour prior to the Ordinary Council Meetings in what was previously referred to as ‘Briefing Sessions’. The new policy [Refer item 3.1 of policy] provides structure for these forums and in doing so re-names the meetings as ‘Concept Forums’ in line with the DLGC Operational Guideline No. 5.

- *Agenda Forums*

In adopting this policy, Council will as required, hold ‘Agenda Forums’ on the Monday afternoon prior to the Wednesday Council meeting. The Agenda Forums [Refer Item 3.2 of policy] allow elected members the opportunity to ask questions, request relevant additional information and to become better informed on the issues listed for Council decision.

- *Working Groups*

Council currently has ten working groups that have been appointed by Council, with each group having its own Terms of Reference. Working groups, as opposed to Committees, focus on discussion or activity around one specific subject area. The policy [Refer item 3.3 of policy], notes that Working Groups provide an opportunity for elected members, employees and, at times, community members and/or engaged consultants to provide a detailed presentation on specific matters/projects.

As Working Groups are not established, and are not intended to be, Committees established under Section 5.8 of the Local Government Act 1995, the policy outlines the management of the Working Groups.

Note: Working Groups will primarily be scheduled on Wednesdays [other than Council meeting days].

- *Workshops*

Council Workshops are held to workshop matters prior to presentation to Council. Workshops focus on discussion or activity around one specific subject area. They provide an opportunity to involve attendees in a constructive and proactive way. The policy formally outlines the management and conduct of Council's workshop practices. It is intended that any Workshops should be held on the day of a Concept Forum wherever possible.

- *Conflicts of Interest*

Whilst the financial, proximity and impartiality interest provisions of the Local Government Act 1995 do not apply to Forums of Council (as they are not a Council appointed committee approved under section 5.8 of the Local Government Act 1995 and does not have any legal status), all members and staff need to be aware that any conflict of interest needs to be recognised, to ensure that probity and integrity is maintained at all times.

Chief Executive Officer Additional Comment since April

The above report was taken to Council on the 16 April 2019, wherein the matter was deferred by Council [95-19]:

THAT Council:

1. *Defer the matter of new policy "CP005 – Forums of Council – Concept Forums, Agenda Forums, Working Groups and Workshops".*
2. *Hold a workshop to discuss proposed new Policy CP005, prior to the item being brought back to Council.*

The CP005-Forums of Council – Concept Forums, Agenda Forums, Working Groups and Workshop Policy presented to Council at the meeting of the 16 April 2019 is provided for in (Appendix ORD: 12.4C).

As a result of resolution [95-19] the following Councillors workshops were undertaken:

- Forum on Forums Workshop - 21 August 2019; and
- Community Engagement Forum – 13 November 2019.

Following the Councillors workshops, the Forums of Council Agenda Forums, Working Groups and Workshop Policy was amended to reflect the changes workshopped by Council. These changes are noted in blue on the attached (Appendix ORD: 12.4C).

The amended Policy – CP088 - Forums of Council – Concept Forums, Agenda Forums, and Workshops Policy reflecting the changes made in blue is now provided below in the resolution for Council consideration and endorsement.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

335-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council adopt new policy "CP088 – Forums of Council – Concept Forums, Agenda Forums, and Workshops", as follows:



COUNCIL POLICY NO:-

CP088 - FORUMS OF COUNCIL – CONCEPT FORUMS, AGENDA FORUMS, AND WORKSHOPS

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA
ADMINISTRATION INFORMATION			
History:		Synopsis:	
Version:	New	Synopsis:	Policy created.

1. RESPONSIBLE DIRECTORATE

Executive

2. PURPOSE OR OBJECTIVE

Local government forums range from a once-only event to discuss and explore a particular issue, to a number of sessions to address matters such as a specific project; or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

3. POLICY

3.1 Concept Forums

Background

Concept forums involve Council members and employees meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some-time away from being presented to Council for decision.

In discussing such issues, employees are looking for general guidance from the Council members as they research the matter and draft the report. Council members and employees are also looking to present ideas and concepts for future consideration. If the response is favourable employees can proceed with their research and eventual report on the matter.

Examples of the type of issues concept forums may cover include –

- Current matters of a local or regional significance;
- Matters relating to the future development of the local government;
- Significant revenue-raising requirements or expenditure needs;
- The development of internal strategic, planning, management and financial documents;
- Development of the selection criteria and performance;
- Objectives for the Chief Executive Officer (CEO).
- Reports from Advisory Groups, Community Engagement Outcomes or other non-formal activities involving Councillors or employees.

Behind Closed Doors:

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.

Managing Concept Forums:

Unless otherwise determined by the Chief Executive Officer in consultation with the Shire President, Concept Forums will be held on the Wednesday afternoon prior to the Ordinary Council Meetings.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available the Council members' present shall choose a person who shall preside over the Concept Forum so as to ensure the guidelines as addressed in this policy are adhered to.

A general record should be kept of the Concept Forum noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Conduct at Concept Forums

Councillors and employees shall adhere to the provisions of the *Local Government (Rules of Conduct) Regulations 2007* and the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Employees, in relation to their conduct at Concept Forums.

The forums shall run in a formal manner with all questions being directed through the Chair.

Quorum (Non-Technical):

To ensure integrity of information flow/guidance and to avoid repetition, there shall be a requirement that a minimum of four Council members are to be in attendance for a Concept Forum to proceed. If a non-technical quorum is unable to be achieved the forum is to lapse and reconvene again at another opportunity.

Project Updates:

The Chief Executive Officer shall cause presentations to be made in relation to the following;

- a) Presentations on achieving major projects; progress updates regarding major projects.
- b) New Ideas - Concept Forums are a place for which new ideas and projects are to be discussed.

Councillor Reports

At every Concept Forum each Councillor may raise issues that have arisen since the last meeting. This may include discussions that have come from ratepayers/electors or third parties that require further information, clarification on employee's actions to date or general information.

Managing Conflicts of Interest

No Council member or staff member shall raise any matter at a Concept Forum for which they have or may perceive to have a Financial or Proximity Interest.

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests).

It is noted that this is above and beyond the scope of the legislation, however is required to ensure a high level of governance and transparency.

Members shall make written disclosures of interest to the Chief Executive Officer at Concept Forums.

If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member may seek approval from the Chairperson and meeting to determine whether the interest is:

- Trivial or insignificant; or
- An interest in common to a significant number of electors or ratepayers.

The Member should make that request to the Chairperson at the meeting and not only disclose the nature of their interest, but also the extent of that interest.

The Member should then depart the meeting, whilst the meeting considers the request. The meeting should then be in a position to:

- determine that the Member should not participate in that part of the meeting;
- remain in the meeting and participate in discussion; or
- remain in the meeting only, but not participate in discussion on the matter.

(Note: If the Disclosing Member is the Chairperson, such disclosure shall be made to the meeting.)

Once the meeting has made a decision concerning a request, the Chairperson shall inform the Member of the decision and the Member shall comply with the Meeting's decision.

3.2 Agenda Forums

Background

For proper decision-making, Council members should have the opportunity to gain maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for Council members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary Council meetings.

The complexity of many items means that Council members may need to be given information additional to that in an employees report and/or they may need an opportunity to ask questions of relevant employees.

Many local governments have determined that this can be achieved by the Council members convening as a body to become better informed on issues listed for Council decision. Such assemblies have been termed Agenda Forums. It is considered they are much more efficient and effective than Council members meeting employees on an individual basis for such a purpose with the added benefit that all Council members hear the same questions and answers. To protect the integrity of the decision-making process it is essential that Agenda Forums are run with strict procedures.

Managing Agenda Forums

Agenda Forums will be held on the Monday or Tuesday (depending on public holidays) preceding the Ordinary Council meeting. Preference will be for Monday 2pm to 3pm. Agenda Forums will only be called if an item or items on the agenda are considered to be complex and may require further clarification. Alternatively to Agenda Forums, Councillors could send an email to the Executive Support Officer to seek further information or clarification with regards to an item. When sending such an email it is requested that all Councillors be copied into the original email and will also be copied into the reply.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available the Council members present shall choose a person who shall preside over the Agenda Forum so as to ensure the guidelines as addressed in this policy are adhered to.

Agenda Forums shall not be open to the public and therefore no debate on the items shall be entered into during the Agenda Forum. There shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.

The purpose of the Agenda Forum is to allow questions in relation to the item or to request further information from the Chief Executive Officer in relation to the item in a collective environment. Where questions are 'Taken on Notice', answers will be distributed to all Councillors prior to the Council meeting.

A Councillor may still choose to raise issues associated with the Agenda independently through the Chief Executive Officer or another Senior Officer as defined in the Shire of Dardanup's Code of Conduct.

A general record should be kept of the Agenda Forum noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Conduct at Agenda Forums

Councillors and employees shall adhere to the provisions of the *Local Government (Rules of Conduct) Regulations 2007* and the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Employees, in relation to their conduct at Agenda Forums.

The forums shall run in a formal manner with all questions being directed through the Chair.

Quorum (Non-Technical):

To ensure integrity of information flow/guidance and to avoid repetition, there shall be a requirement that a minimum of four Council members are to be in attendance for an Agenda Forum to proceed. If a non-technical quorum is unable to be achieved the forum is to lapse and may be reconvened again at another opportunity.

Managing Conflicts of Interest

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests).

It is noted that this is above and beyond the scope of the legislation, however is required to ensure a high level of governance and transparency.

Members shall make written disclosures of Interest to the Chief Executive Officer at Agenda Forums.

If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member may seek approval from the Chairperson and meeting to determine whether the interest is:

- Trivial or insignificant; or
- An interest in common to a significant number of electors or ratepayers.

The Member should make that request to the Chairperson at the meeting and not only disclose the nature of their interest, but also the extent of that interest.

The Member should then depart the meeting, whilst the meeting considers the request. The meeting should then be in a position to:

- determine that the Member should not participate in that part of the meeting;
- remain in the meeting and participate in discussion; or
- remain in the meeting only, but not participate in discussion on the matter.

(Note: If the Disclosing Member is the Chairperson, such disclosure shall be made to the meeting.)

Once the meeting has made a decision concerning a request, the Chairperson shall inform the Member of the decision and the Member shall comply with the Meeting's decision.

3.4 Workshops

Background

Council Workshops are held to 'workshop' matters prior to presentation to Council. They are not to be confused with Concept or Agenda Forums.

Council Workshops may be convened on an occasional basis as a forum for information exchange and discussion between Council Members and Council employees and if appropriate, other relevant stakeholders. A Workshop provides an opportunity for employees or engaged consultants to provide a detailed presentation on specific matters/projects.

Workshops can be called by a resolution of Council, or at the request of the Shire President or the Chief Executive Officer and may be conducted as required.

Managing Workshops

The preferred scheduling of Workshops is on a Wednesday that is not prior to a Council meeting. Debating, collective decision making or revelation of one's intention on how they will vote at a future Council or Committee Meeting is not permitted. Expressing an opinion or seeking clarification on matters under discussion generally however, is appropriate and welcome.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available the Council members present shall choose a person who shall preside over the Workshop so as to ensure the guidelines as addressed in this policy are adhered to.

Discussion is limited to the subject on the Workshop Agenda.

A general record should be kept of the workshop noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Conduct at Workshops

Councillors and employees shall adhere to the provisions of the Local Government (Rules of Conduct) Regulations 2007 and the Shire of Dardanup Code of Conduct for Council Members, Committee Members and Employees, in relation to their conduct at Workshops.

The Workshops shall run in a formal manner with all questions being directed through the Chair.

Quorum (Non-Technical):

To ensure integrity of information flow/guidance and to avoid repetition, there shall be a requirement that a minimum of four Council members are to be in attendance for a Workshop to proceed. If a non-technical quorum is unable to be achieved the forum is to lapse and may be reconvened again at another opportunity.

Managing Conflicts of Interest

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests).

It is noted that this is above and beyond the scope of the legislation, however is required to ensure a high level of governance and transparency.

Members shall make written disclosures of Interest to the Chair at the Workshops.

If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member may seek approval from the Chairperson and meeting to determine whether the interest is:

- Trivial or insignificant; or
- An interest in common to a significant number of electors or ratepayers.

The Member should make that request to the Chairperson at the meeting and not only disclose the nature of their interest, but also the extent of that interest.

The Member should then depart the meeting, whilst the meeting considers the request. The meeting should then be in a position to:

- determine that the Member should not participate in that part of the meeting;
- remain in the meeting and participate in discussion; or
- remain in the meeting only, but not participate in discussion on the matter.

(Note: If the Disclosing Member is the Chairperson, such disclosure shall be made to the meeting.)

Once the meeting has made a decision concerning a request, the Chairperson shall inform the Member of the decision and the Member shall comply with the Meeting's decision.

4. REFERENCE DOCUMENTS

Local Government Operational Guidelines Number 05 – January 2004 - Council Forums.

CARRIED
8/0

12.5 Title: New Policy – CP089 - Advisory Groups

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
Legislation: Local Government Act 1995

Overview -

This report is provided to Council to consider and adopt the proposed new CP089 Advisory Group Policy.

Background -

At the Special Council Meeting of 23 October 2019, Council endorsed the establishment of its Committees for the 2019-21 period. At this meeting it was recommended that the Working Groups be dissolved and replaced with Advisory Groups, and that the matter would be further workshopped before being brought back to Council.

A Councillor Community Engagement Workshop was undertaken on 13 November 2019 which included a review of its Committees and Working Groups. The Community Engagement Framework presented to Councillors as part of this Agenda provides for engagement with the Community, through Placed Based and Topic Based Advisory Groups. This Policy aims to establish the framework within which Council can establish Advisory Groups.

Legal Implications - None.

It should be noted that Advisory Groups are not formal committees of Council but simply a group of community members and stakeholders that advise the Shire on particular matters.

Strategic Community Plan

- Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)
- Strategy 1.1.2- Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
- Strategy 1.1.3- Maintain best practice governance systems and practices. (Service Priority: Moderate)
- Strategy 1.6.1- Provide opportunities for the community to engage with Councillors and Staff. (Service Priority: High)

Environment - None.**Precedents** - None.**Budget Implications** - None.**Budget – Whole of Life Cost** - None.**Council Policy Compliance** -

New Policy to be created and adopted.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	New Policy – CP089 – Advisory Groups Policy
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal and Compliance Risk – Non-compliance with meeting procedures could lead to penalties being imposed on the Shire. Reputational Risk – Non-compliance will impact on the Shire’s business reputation.

Officer Comment

-

Through adoption of the Community Engagement Framework, the Shire will be implementing Place Based and Topic Based Advisory groups, which will replace the Shire’s current Townscape Committees.

To support the implementation of the Community Engagement Framework Place Based and Topic based approach, and in line with good governance, *CP089 – Advisory Groups Policy* has been developed to provide guidance for the establishment and operations of Advisory Groups.

Council Role

- Executive/Strategic.

Voting Requirements

- Simple Majority.

Change to Officer Recommendation

- No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

336-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council adopt new policy “CP089 – Advisory Groups”, as follows:

POLICY NO:-
CP089 –ADVISORY GROUPS

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION			
History:			
Version:	1	OCM 27/11/19 Res: 336-19	Synopsis: Policy Created
Version:	2		Synopsis:

1. RESPONSIBLE DIRECTORATE

Directorate – Chief Executive Officer

2. PURPOSE OR OBJECTIVE

The Advisory Group policy seeks to establish a communication process between the Shire of Dardanup, stakeholders and/or community and to provide guidance for the establishment and operations of the Shires of Dardanup’s Advisory Groups.

3. DEFINITIONS

- Financial Interest: Has the same meaning as given by Section 5.60A of the Local Government Act 1995.
- Proximity Interest: Has the same meaning as given by Section 5.60B of the Local Government Act 1995.
- Impartiality Interest: Means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having interest arising from kinship, friendship or membership of an association.

4. POLICY

- Advisory Groups may be established by resolution of Council.
- Advisory Groups will operate in accordance with the adopted Terms of Reference which provide:
 - a) A clear statement of objectives and aims of the Advisory Group;
 - b) Membership representation; and
 - c) Operational and administrative framework by which activities are to occur.

Terms of Reference

Advisory Groups are to operate within the Terms of Reference approved by the Council and the following general administrative framework:

- The role of an Advisory Group is to act in an advisory capacity, providing the Shire of Dardanup Administration and the Council with its views and/or proposals relevant to the Objectives for which the group was established.
- The Advisory Group will only consider matters referred to it by the Council through its Terms of Reference.
- An Advisory Group has no decision making powers and does not have any authority to act on behalf of the Shire of Dardanup. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the Shire of Dardanup.
- Advisory Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion. The view and proposals of an Advisory Group are to be recorded in meeting notes and retained in the Shire of Dardanup record keeping systems.
- Advisory Group members either collectively or individually are not authorised to speak on behalf of the Shire of Dardanup or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Shire President.

Conflicts of Interest

- All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.

- If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

Confidentiality and Privacy

- Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- At the first meeting of the Advisory Group, a Confidential Agreement will be provided to members for their review and execution.
- Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

Role of Chairperson

- The Advisory Group Chairperson is to be appointed by the Council.
- The Council appointed Chairperson will preside at all meetings. In the absence of the Chairperson, one of the other Elected Members will assume the Chair for that meeting.
- The Chairperson shall ensure that the Advisory Group operates in accordance with the Advisory Groups Terms of Reference at all times.

Meeting Notes

- The Chief Executive Officer or the relevant Director having responsibility for the Advisory Group, in liaison with the Advisory Group Chairperson, shall be responsible to ensure the preparation and accuracy of the meeting notes.
- Items considered at the meeting will not be voted upon. The meeting notes of the Group will record consensus agreement on actions and any points of agreement/disagreement. They will not reflect verbatim discussion.
- Meeting notes of the meeting will be prepared by the Responsible Officer and distributed to members within five (5) working days after the date of the meeting.

- Advisory Group unconfirmed meeting notes will be reported to Council through the Council's Information Bulletin.
- The meeting notes shall accurately record the details of any disclosure of interest and the extent of such interest. The meeting notes shall also record the times any person who has made a disclosure, has departed and/or re-enters the meeting.
- Any items which have been dealt with by the Advisory Group will not be implemented by the Shire of Dardanup Administration until a report has been submitted to Council for a decision

Code of Conduct

- The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member

5. REFERENCE DOCUMENTS

- Community Engagement Framework

CARRIED
8/0

12.6 Title: Appointment of Councillors to Advisory Groups

Reporting Department: Executive
 Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
 Legislation: Local Government Act 1995

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION

337-19 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT Council Suspend Standing Orders [6.07pm] in order to discuss nominations for each of the Advisory Groups.

CARRIED
8/0

COUNCIL RESOLUTION

338-19 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT Council Resume Standing Orders [6.18pm].

CARRIED
8/0

RESUME STANDING ORDERS

Overview -

This report to Council provides for the appointment and endorsement of Councillors, and Department Representatives to the Shire of Dardanup Advisory Groups for the period 2019 to October 2021. -

Background -

A Councillor workshop was undertaken on 21 August 2019 wherein a review was undertaken of Council's current meetings, forums, working groups and Committees.

At the Special Council meeting of 23 October 2019 Council endorsed the establishment of the following committees:

- Grants, Awards & Scholarship Committee
- Audit & Risk Committee
- Shire of Harvey & Shire of Dardanup Joint Towns Planning Scheme No.1 Committee
- Local Emergency Management Committee
- Bushfire Advisory Committee
- Integrated Planning Committee
- Occupational Safety & Health Committee

It was recommended at the meeting of the 23 October 2019, that all Townscape Committees and Working Groups be dissolved and replaced with Advisory Groups, with the matter to be further workshopped and brought back to Council by the end of November 2019.

A Community Engagement Forum was held with Councillors on 13 November 2019 wherein the above matter was further discussed and workshopped.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.2- Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Strategy 1.6.10- Provide opportunities for the community to engage with Councillors and Staff. (Service Priority: High)

Environment - None.

Precedents -

Council has previously endorsed Council Committees and Working Group member nominations.

Budget Implications -

The administration of committees and working groups requires significant resources to prepare Agenda's, Notes, Report and Minutes. In addition to the administration, staff time is also taken up with queries from committee members, attendance to meetings and workshops.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.6A) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Endorsement of Elected Members, Staff, Community Members and Department Representatives to the Shires Council Committees
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	Not required.
Residual Risk Rating (after treatment or controls)	As the Residual Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal and Compliance Risk – Non-compliance with meeting procedures could lead to penalties being imposed on the Shire. Reputational Risk – Non-compliance will impact on the Shire's business reputation.

Officer Comment

-

At the Community Engagement Form held with Councillors on 13 November 2019 the establishment of Place Based and Topic Based Advisory Groups was workshopped. Following this discussion the following Advisory Groups are proposed for adoption and endorsement by Council.

Placed Based Advisory Group	Topic Based Advisory Group
Eaton Advisory Group	Sustainable Development Advisory Group
Dardanup Advisory Group	Economic & Development Advisory Group
Burekup Advisory Group	Community Advisory Group
Ferguson Valley Advisory Group	Roadwise Advisory Group
Wanju & Waterloo Advisory Group	Sport & Recreation Advisory Group

The Terms of Reference for each of these Advisory Groups is provided (Appendix ORD: 12.6B) for review and endorsement by Council.

The establishment of the Place Based and Topic Based Advisory Groups would therefore see the following Townscape Committees and Working Groups being dissolved by Council:

- Burekup Townscape Committee
- Eaton Townscape Committee
- Dardanup Townscape Committee
- Gnomesville Master Plan Project Working Group
- Eaton Bowling Club Redevelopment Project Working Group
- Responsible Pet Ownership Working Group
- Australia Day Working Group
- Eaton Sporting Precinct Working Group
- Eaton Skate Park, ERC Courts & Parking Working Group
- Fenced Dog Exercise Area Working Group
- Tourist Signage Working Group
- Shire Administration & Library Building Project Working Group
- Asset Management Working Group

The Shire will be seeking expressions of interest to engage Community representatives and relevant stakeholders to the Advisory Groups in February 2020. This process will be undertaken in consultation with our 2050 Visioning consultants The KP Collective. Following this an item will be brought back to Council for Council endorsement of the Community nominees.

Council Role - Legislative.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

- Addition of elected member names to each advisory group.

OFFICER RECOMMENDED RESOLUTION "A" & COUNCIL RESOLUTION

339-19 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council

1. Dissolves the following Committees and Working Groups:

- Burekup Townscape Committee
- Eaton Townscape Committee
- Dardanup Townscape Committee
- Gnomesville Master Plan Project Working Group
- Eaton Bowling Club Redevelopment Project Working Group
- Responsible Pet Ownership Working Group
- Australia Day Working Group
- Eaton Sporting Precinct Working Group
- Eaton Skate Park, ERC Courts & Parking Working Group
- Fenced Dog Exercise Area Working Group
- Tourist Signage Working Group
- Shire Administration & Library Building Project Working Group

2. Endorse the following Elected Members, Community Members and stakeholder representatives to the following Council Advisory Groups [Note: Terms expire in October 2021 with the exception for the Wanju/Waterloo Advisory Group].

ADVISORY GROUPS

Eaton Advisory Group

- Cr. M T Bennett - Elected Member – [Chairperson]
- Cr. P R Perks - Elected Member – [Deputy Chairperson]
- Cr. S Gillespie - Elected Member
- Cr. C N Boyce - Elected Member
- 12 x Community Representatives

Burekup Advisory Group

- Cr. M T Bennett - Elected Member – [Chairperson]
- Cr. J Dow - Elected Member – [Deputy Chairperson]
- Cr. M Hutchinson - Elected Member
- 12 x Community Representatives

Dardanup Advisory Group

- Cr. P S Robinson - Elected Member – [Chairperson]
- Cr. T G Gardiner - Elected Member – [Deputy Chairperson]
- Cr. P R Perks - Elected Member
- 12 x Community Representatives

Ferguson Valley Advisory Group

- Cr. T G Gardiner - Elected Member – [Chairperson]
- Cr. P S Robinson - Elected Member – [Deputy Chairperson]
- Cr. C N Boyce - Elected Member
- 12 x Community Representatives

Wanju & Waterloo Advisory Group

- Cr Mick Bennett - Elected Member [Chairperson]
- Cr. P S Robinson - Elected Member – [Deputy Chairperson]
- Cr. T G Gardiner - Elected Member
- Representative – Department of Planning, Lands & Heritage
- Representative – ATCO
- Representative – Western Power
- Representative – Main Roads
- Representative – Department of Water & Environment Regulations
- Representative – Water Corporation
- Representative – Harvey Water

Roadwise Advisory Group

- Cr. P S Robinson - Elected Member – [Chairperson]
- Cr. P R Perks - Elected Member – [Deputy Chairperson]
- Cr. T G Gardiner - Elected Member
- Representative – WALGA Roadwise – Road Safety Advisory South West
- Representative – Main Roads WA
- Representative – WA Police
- Representative – Department of Transport
- Representative – 3 x Local Schools
- 4 x Community Representatives

Sustainable Development Advisory Group

- Cr. M T Bennett - Elected Member – [Chairperson]
- Cr. C N Boyce - Elected Member – [Deputy Chairperson]
- Cr. M Hutchinson - Elected Member
- Representative – Department of Biosecurity Conservation & Attractions
- Representative – Department of Water & Environment
- Representative – Leschenault Catchment Council
- Representative – Leschenault Biosecurity Group
- Representative – Bunbury Harvey Regional Council
- Representative – University/Research Institute
- 6 x Community Representatives

Economic & Development Advisory Group

- Cr. M T Bennett - Elected Member – [Chairperson]
- Cr. T G Gardiner - Elected Member – [Deputy Chairperson]
- Cr. M Hutchinson - Elected Member
- Representative – Bunbury Geographe Economic Alliance
- Representative – Bunbury Chamber of Commerce
- Representative – South West Development Commission
- Representative – Regional Development Australia
- Representative – Bunbury Geographe Tourism Partnership
- Representative – South West Timber Hub
- Representative – Ferguson Valley Marketing
- Representative – Edith Cowan University
- Representative – South West Tafe
- Representative – Department of Primary Industries & Regional Development
- Representative – Department of Jobs, Tourism, Science & Innovation
- Representative – Eaton Community College

Sport and Recreation Advisory Group

- Cr. M T Bennett - Elected Member – [Chairperson]
- Cr. P R Perks - Elected Member – [Deputy Chairperson]
- Cr. S Gillespie - Elected Member
- Representative – Department of Sport & Recreation
- Representative – Eaton Basketball Association
- Representative – Eaton Cricket Club
- Representative – Eaton Junior Football Club
- Representative – Eaton Dardanup Soccer Club
- Representative – Basketball South West
- Representative – Eaton Boomers Football Club
- Representative – Bunbury & Districts Softball Club
- Representative – Eaton Tennis Club
- Representative – Eaton Bowling Club
- Representative – Burekup Cricket Club
- Representative – Eaton Netball Association
- Representative – WA iSport

Community Advisory Group

- Cr. P R Perks - Elected Member – [Chairperson]
- Cr. J Dow - Elected Member – [Deputy Chairperson]
- Cr. S Gillespie - Elected Member
- Representative – Bunbury Repertory Club
- Representative – Eaton Foreshore Festival
- Representative – Bull & Barrel Festival
- Representative – Bethanie Aged Care
- Representative – St John of Gods Hospital
- Representative – Neighbourhood Watch
- Representative – Ferguson Valley Marketing
- Representative – Eaton Community College
- Representative – Eaton Senior Citizens

- **Representative – Dardanup Senior Citizens**
- **Representative – Eaton & Millbridge Lions Club**
- **Representative – Dardanup Lions Club**
- **6x Community Representatives (1 from Artisans Community)**

CARRIED
8/0

**OFFICER RECOMMENDED RESOLUTION “B”
& COUNCIL RESOLUTION**

340-19 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council establishes the following Advisory Groups and endorses the 2019 Terms of Reference as provided for in (Appendix ORD: 12.6B) with no amendments:

- **Eaton Advisory Group**
- **Dardanup Advisory Group**
- **Burekup Advisory Group**
- **Ferguson Valley Advisory Group**
- **Wanju & Waterloo Advisory Group**
- **Sustainable Development Advisory Group**
- **Economic Development Advisory Group**
- **Community Advisory Group**
- **Roadwise Advisory Group**
- **Sport & Recreation Advisory Group**

CARRIED
8/0

12.7 Title: Setting of Council Meeting Dates - 2020

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
Legislation: Local Government Act 1995

Overview -

Council is required under the Local Government Act 1995 to set the Ordinary Council Meeting [OCM] and Committee Meeting [CM] dates and advertise the schedule.

OCM and CM dates may be reviewed subject to changes in circumstances, and providing time is allowed for public advertising.

Background -

At the OCM of 15 May 2019, and in accordance with the Local Government Act, meeting dates were set for the last six months of the 2019 year. These meeting dates were set, with meetings being held every 3 weeks.

The Shire has undertaken a review of all of its Committees and Working Groups, and following a Councillor Community Engagement Forum on the 13 November 2019, it is proposed that the Councillor meetings would be held monthly, with the meeting dates to be the last Wednesday of each month, with the exception being December. The December meeting date would be the third Wednesday of December.

The proposal to change the OCM dates to monthly has also been canvassed with the Executive team wherein the Executive team is in support of the proposed monthly meeting cycle. The positive outcomes of moving to a monthly cycle are identified below:

- Provide Officers with more time to be spent on the business of Council and less on the administration.
- Monthly financial statements and reports will be able to be presented for every month, with more time to prepare this report.
- Long term planning can be undertaken with established OCM and Committee meeting dates.

These proposed monthly OCM and CM dates for the 2020 year are provided in (Appendix ORD: 12.7A).

Legal Implications -

The dates of the OCM and CM are required to be advertised. Local Government (Administration) Regulations 1996 Section 12 states:

S12. Meetings, public notice of (Act s. 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary Council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

Strategic Community Plan

Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)

Environment - None.

Precedents

Council meeting dates are reviewed annually, in accordance with the Local Government Act.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.7B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Setting of Council Meeting Dates 2020
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Legal and Compliance Risk – Non-compliance with meeting procedures could lead to penalties being imposed on the Shire. • Reputational Risk – Non-compliance will impact on the Shire’s business reputation.

Officer Comment -

Council meeting dates have been schedule for the twelve month period from January 2020 to December 2020. Meeting dates are now to be held monthly, with the first Council meeting being 29 January 2020.

In 2020, a Special Meeting of Council is scheduled for 3 June 2020, commencing at 5.00pm for the adoption of the of the Shire 2020-21 Draft Annual Budget.

All Committee Meetings have been set to be held on a Wednesday for the 2020 calendar year.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

341-19 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT:

1. The Ordinary Council meetings for the period January 2020 to December 2020 be held on the following Wednesdays, commencing at 5pm,

DATE 2020
29 January 2020
26 February 2020
25 March 2020
29 April 2020
27 May 2020
24 June 2020
29 July 2020
26 August 2020
30 September 2020
28 October 2020
25 November 2020
16 December 2020

3. A Special Meeting of Council will be held on Wednesday, 3 June 2020 commencing at 5.00pm for the adoption of the Shire 2020-21 Draft Annual Budget.
4. The Committee meetings for the period January 2020 to December 2020 are to be held on the following Wednesdays, at the times provided.

Committee	Date	Time
Grants, Awards & Scholarship	1 April 2020	2.00pm
	9 September 2020	2.00pm
	18 November 2020	2.00pm
Audit & Risk	4 March 2020	2.00pm
	3 June 2020	2.00pm
	2 September 2020	2.00pm
	2 December 2020	2.00pm
Bush Fire Advisory	11 March 2020	7.00pm
	13 May 2020	7.00pm
	14 October 2020	7.00pm
Local Emergency Management	12 February 2020	10.00am
	13 May 2020	10.00am
	12 August 2020	10.00am
	11 November 2020	10.00am
Integrated Planning	11 March 2020	1.00pm
	8 April 2020	1.00pm
Occupational Safety & Health	22 January 2020	10.00am
	10 June 2020	10.00am
	7 October 2020	10.00am

5. **The above dates of the Shire of Dardanup Council Meetings and Committee Meetings are to be publicised in the local media and newsletter as required by the Local Government Act 1995 and be updated on the Shire of Dardanup website.**

CARRIED
8/0

12.8 Title: Request for Feedback on Removal of RAV Access Condition - CA07 Heavy Vehicle Services

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. T G Gardiner declared an Impartiality Interest in this item as he is a Heavy Vehicle Operator. As a consequence there may be a perception that my Impartiality on the matter may be affected.

Cr. T G Gardiner declared he would consider this matter on its merits and vote accordingly.
Cr. T G Gardiner remained in the room.

Overview -

Main Roads Western Australia (MRWA) Heavy Vehicle Services (HVS) are seeking feedback on the removal of the CA07 condition from Restricted Access Vehicle (RAV) permits. CA07 is the condition whereby the operator must carry a letter of approval from the Local Government authority. MRWA has sought legal advice from the State Solicitor's Office, which indicated local governments do not have any legal authority to utilise the CA07 access condition as a mechanism to charge transport operators for access onto public roads.

MRWA, in consultation with the WA Local Government Association (WALGA), the Ministerial Heavy Vehicle Advisory Panel and the State Solicitor's Office has developed alternative arrangements to enable local governments to enter into reasonable road maintenance agreements with the freight generators, as opposed to the individual transport operators.

MRWA are inviting feedback from local governments, the transport industry and freight generators in the form of an online survey. The survey will remain open until 30 November 2019.

Background -

Currently the Shire is exercising Condition CA07 for all RAV and Performance Based Specification (PBS) access applications. In most cases, the Shire imposes the standard contribution of \$300 on access applications, which is used for road safety initiatives on truck routes, such as advanced warning signage.

Where the proposed freight task represents a significant loading to the road pavement, a contribution is calculated in accordance with the WALGA User Guide – Estimating the Incremental Cost Impact on

Sealed Local Roads from Additional Freight Tasks (WALGA Guide). Under these circumstances, it is deemed that the increase in loading will increase asset consumption and reduce the life of the road pavement. The contribution is representative of the increased asset consumption and aims to recover the cost resulting from the need to renew the road asset sooner than the expected design life. The letter of approval is issued, contingent upon receipt of the contribution as applicable. The following documents have been provided by MRWA to detail the proposed changes.

- RAV Access Approval Process – Road Managers Guide (Appendix ORD: 12.8A); and
- RAV Access Review Process – Road Managers Guide (Appendix ORD: 12.8B).

Legal Implications -

Road Traffic (Vehicles) Act 2012
Road Traffic (Vehicles) Regulations 2014

Advice has been sought from McLeods Barristers & Solicitors. Advice was provided in the form of an email to the CEO, which is provided under separate cover (Confidential Document – Item 12.8).

Strategic Community Plan

Strategy 4.1.4 - To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)

Strategy 5.1.1 - To provide an efficient road network for efficient movement of people and goods by road. (Service Priority: Very High)

Environment - None.

Precedents

Applicants have challenged calculated contributions in the past. Specifically, Forest Products Commission challenged a calculated road maintenance contribution of (approximately) \$16,000 in November 2016. At the time the challenge was deemed to have merit and the requirement to make a contribution was relaxed.

In this case, Forest Products Commission were deemed to be the freight generator.

Budget Implications -

Any standard fees or calculated contributions are held in road reserves for renewal or upgrade works required as a result of haulage activity. Fewer funds coming in to these reserves will delay required works or require more Council funds.

Budget – Whole of Life Cost - None.

Council Policy Compliance -

A policy to raise road contributions from freight generators is required.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.8C) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Removal of RAV Access Condition - CA07 Heavy Vehicle Services
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial Impact - The Shire will have reduced ability to raise funds due to the removal of Condition CA07

Officer Comment

Administering heavy vehicle applications has presented challenges as changes are made to road networks, the transport industry and MRWA processes.

With the latest changes proposed by MRWA, it is timely to remap the heavy vehicle approval process and reassess the road network with respect to freight routes. The road network and designated freight routes will be reviewed as part of the Road Asset Management Plan review.

Further to the above measures, a policy to raise road contributions from freight generators is required.

The heavy vehicle approval process, designated freight routes and Council Policy should be reviewed on an ongoing basis in order to remain relevant as the changes described above occur.

- *Director Infrastructure Comment*

It is recommended that the CEO be provided delegated authority to complete the survey and to put forward the position of the Shire of Dardanup on the matter. The following position on heavy vehicles in the Shire of Dardanup is provided to the Council for consideration and support and could form the basis of the responses to the survey and any other feedback provided to MRWA and WALGA:

1. Heavy vehicles should be permitted on well-defined and coordinated truck routes in the Shire. The Shire currently has a heavy vehicle master plan in its Road Asset Management Plan. This plan is based on RAV 2 and 3 network routes, which are further divided into unconditional routes and conditional routes. Since the development of the heavy vehicle master plan, there has been a notable change in vehicle configurations and an increase in mass and size of vehicles. There have been RAV 4, 5 and 7 vehicles now permitted on some Shire roads, including concessional loading through the Accredited Mass Management System. These additional configurations and extra loadings have been allowed on a case-by-case basis and perhaps has not been sufficiently coordinated. There has been increasing pressure to allow these vehicles on Shire roads. It is recommended that the road network be reviewed to develop a revised heavy vehicle master plan. This review should be carried out in consultation with MRWA and with consideration of the Shire's Local Planning Strategy, which will provide guidance on the future transport needs. This process will generate a master plan showing the current and future designated truck routes in the Shire based on size and configuration of vehicle. The size and configuration of heavy vehicles will be determined based on what is deemed reasonable and acceptable in the district and a safe option for that particular route.

2. The Shire will coordinate the improvement of the road network as identified in the master plan. This will be incorporated into the Shire's Road Asset Management Plan and subsequent road construction programs. Road improvements will be subject to prioritising and Council's standard budgeting processes.
3. If freight generators request the use of any vehicles that are:
 - a) larger, extra mass and/or different in configuration to that allowed on the truck route identified in the master plan; or
 - b) increase the freight task on the truck route beyond what is normally within the range of reasonable traffic growth; and
 - c) are safe to operate on the route.

the freight generator should contribute to the cost of additional road asset consumption beyond that already allowed for.

4. If the route proposed in Point 3 above is not safe, the freight generator should fund the cost of road upgrades.
5. If freight generators request to use any roads that are not identified as truck routes on the heavy vehicle master plan, the freight generator should be required to:
 - a) Upgrade the route at their cost to meeting geometry, capacity and/or safety requirements;
 - b) Contribute an amount equal to the cost resulting from the increased asset consumption if the route is geometrically suitable and safe;
 - c) Use an alternative route that is suitable; or
 - d) The combination of a, b and/or c above.
6. Freight generators should be responsible for any upgrades and contributions required that are identified as being the result of their operations in the Shire. It is suggested that the Shire's planning system be utilised to hold freight generators accountable for transport operations that are over and above what is reasonably allowed for in the road network thus requiring road upgrades to accommodate the proposed usage, or contributions to cover for the increased rate of asset consumption. This applies to freight generators in the Shire that are either start of trip, end of trip, or both. Road upgrades and contribution agreements can be conditioned as part of Development Approvals.
7. It is understood that some freight generators do not start and finish in the Shire and are only passing through the Shire. Under these circumstances it is not possible to address any specific requirements of the freight task through a Development Approval. However, trucks passing through the Shire should use the State road network, such as Forrest Highway, South West Highway, Boyanup Picton Road and the Bunbury Outer Ring Road. They should not be using Shire roads. MRWA should condition permits as such.
8. Calculations for contributions should always be based on the WALGA User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks

WALGA is establishing a stakeholder working group to advise if the proposal is “an acceptable alternative”, or to recommend amendments to Main Roads WA and to advise a policy position for State Council consideration. In accordance with the State Council resolution each Zone is invited to nominate a representative to serve on the Group.

It should be noted that at the December 2018 meeting State Council resolved that WALGA:

1. *Opposes withdrawal of the “Letter of Approval” Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed;*
2. *Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network;*
3. *Supports the development of standard administrative procedures including fees and letter formats;*
4. *Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government; and*
5. *Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance.*

It is recommended that Council supports WALGA’s position on this matter.

Council Role - Advocacy.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

342-19 MOVED - Cr. C N Boyce SECONDED - Cr. P R Perks

THAT Council:

1. **Delegates authority to the Chief Executive Officer to complete the online survey as requested by Main Roads Western Australia (MRWA) in response to the proposed removal of CA07, stating Council’s position on the matter in accordance with the contents of this report.**
2. **Instructs the Chief Executive Officer to remap the heavy vehicle approval process in view of the proposal by MRWA.**
3. **Instructs the Chief Executive Officer to review the Shire’s road network and freight routes and present to Council the proposed freight routes as part of the full review of the Road Asset Management Plan during 2020.**

4. **Instructs the Chief Executive Officer to develop a policy for raising road contributions from freight generators.**
5. **Supports the Western Australian Local Government Association's (WALGA) position with regard to the proposed removal of CA07, as adopted at the State Council Meeting held in December 2018.**

CARRIED
8/0

By Absolute Majority

12.9 Title: Request to Operate a RAV 4, Concessional Level 3 on Harris Road – Stevenson Logistics

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview -

Council is requested to consider an application from Stevenson Logistics to operate RAV 4, Concessional Level 3 vehicles, from SLK 0.00 (Shire boundary) to SLK 0.21 (access to Wren Oil).

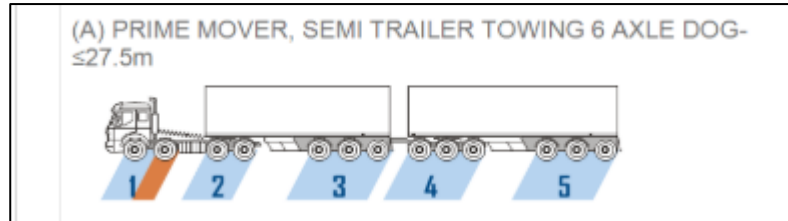
Background -

Currently, Harris Road is shown on the MRWA RAV Mapping Tool as being approved for RAV 2, 3 and 4 vehicles with conditions. This request seeks to utilise the concessional loading scheme, up to Level 3.

The Chief Executive Officer has delegated authority to allow RAV 2, 3 and 4 vehicles on Harris Road. Due to the concessional loading requested, this request is accordingly put to Council for consideration.

The applicant, Stevenson Logistics, has advised the haulage activity to be 4 trips per day, 5 days per week. Although this is a significant number of vehicle movements, the very short nature of the trip (210 metres) means the calculation of the costs in accordance with the WALGA User Guide – Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks (WALGA Guide) is low (approximately \$190). Note that this calculation aims to quantify the cost impact on the road asset resulting from the increased loading over and above a standard RAV 4 configuration (i.e. the additional loading resulting from the increase to a Level 4 concessional loading).

The RAV 4 vehicle type that is the subject of this application is pictured below –



Total length is 27.5 metres and total mass at AMMS Level 3 is 98.5 tonnes (approximately). A standard RAV 4 configuration of this type is normally permitted to 87.5 tonnes. Therefore the AMMS level 3 is adding an additional 11 tonnes on the vehicle.

The route applied for in the Shire of Dardanup is shown below –



Legal Implications

Road Traffic (Vehicles) Act 2012
Road Traffic (Vehicles) Regulations 2014

The requested vehicle configuration and mass will be permitted on the road unless Council can demonstrate to MRWA that it does not believe it is practicably possible to allow RAV 4 Level 3 on this section of Harris Road.

Strategic Community Plan

- Strategy 4.1.4- To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)
- Strategy 5.1.1- To provide an efficient road network for efficient movement of people and goods by road. (Service Priority: Very High)

Environment - None.

Precedents -

Allowing this applicant to operate at Concessional Level 3 will set the precedent whereby other operators will be able to operate Concessional Level 3 vehicles. However, if Council specifies operators must carry written permission from the Shire of Dardanup, Council has the ability to monitor the number of applicants.

Budget Implications -

Any standard fees or calculated contributions are held in road reserves for renewal or upgrade works required as a result of haulage activity.

Budget – Whole of Life Cost -

The increased axle loading of Concessional Level 3 vehicles will theoretically consume the useful life of the pavement sooner than if concessional loading was not permitted. However, Harris Road (from the boundary to the west to Martin Pelusey Road) is being upgraded this financial year. Upgrades include but are not limited to increasing pavement strength to cater for heavy haulage.

Council Policy Compliance -

The Director Infrastructure and Manager Assets have delegated authority to approve RAV Category 2, 3 and 4 vehicles on a select range of roads within the Shire. This application is outside the extent of delegated authority due to the concessional loading applied for (AMMS Level 3).

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.9) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Request to Operate a RAV 4, Concessional Level 3 on Harris Road – Stevenson Logistics
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
	<ul style="list-style-type: none"> Financial Impact - Harris Road will suffer pavement damage from the haulage activity & will reach the end of its useful life sooner due to the haulage activity

Officer Comment

The applicant is looking to build several truck and trailer combinations to service a haulage need at Wren Oil. Permitting access to SLK 0.21 allows the applicant to complete the haulage route from industrial areas within the Perth Metropolitan Area and beyond. Vehicles will use Boyanup Picton Road, Harris Road (City of Bunbury) and Harris Road (Shire of Dardanup).

The Harris Road upgrade has been designed to accommodate increasing heavy traffic in recognition of the significant haulage link that Harris Road represents.

Under the legislation referenced above, it is not a defensible position of Council to support one application for access and not support subsequent, identical applications. In order to reduce the impost to Council in considering multiple identical applications for access, it is the Officer’s suggestion that Council delegate authority to the Chief Executive Officer for each subsequent application for access where Council has already supported such an application.

It is timely to consider the application of Condition CA07 (Operator must carry written approval from the local road authority) if that is the preferred option of Council as MRWA has indicated the likelihood of CA07 being removed in future.

Council Role - Advocacy.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

343-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. **Approves the application by Stevenson Logistics to operate RAV 4 AMMS Level 3 vehicles on Harris Road (SLK 0.00 to SLK 0.21), subject to the following conditions:**
 - i) **The Permit is valid for a 24 month period, from 28 November 2019 to 27 November 2021.**
 - ii) **Any damage to any Shire road as a result of operations by Stevenson Logistics shall be repaired at the cost of the applicant.**
 - iii) **The Shire receives a contribution of \$300.00 (exclusive of GST) to be paid to the Shire for the Road Safety Fund.**
 - iv) **A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.**

2. **Delegate authority to the Chief Executive Officer to assess and approve applications for up to RAV 4 AMMS Level 3 access to Harris Road from SLK 0.00 (Shire boundary) to SLK 1.60 (Martin Pelusey Road).**

CARRIED
8/0

By Absolute Majority

12.10 Title: Adequate Water Supply for Firefighting Purposes at the Ferguson Fire Station

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services
Legislation: Local Government (Functions and General) Regulations 1996

Overview

It has been identified that the current water source, used by the Ferguson Volunteer Bush Fire Brigade (FVBFB), is no longer viable. This has raised concerns for the capacity for the Ferguson brigade to be able to respond to fires and subsequently led to the Shire making a successful application to the Department of Fire and Emergency Services (DFES) Local Government Grant Scheme (LGGs) funding to install a permanent water tank, pump and water. In line with the LGGs Manual for Capital and Operating Grant 2019-2020, the Shire is required to cover any required site work costs and electricity supply and is brought to Council for consideration of funding.

Background

The Shire of Dardanup received a request from the Fire Control Officer (FCO) from the FVBFB to investigate the installation of a suitable size water tank at the Fire Station located at Lot 43 Gardincourt Drive, Ferguson.

Currently, the water supply used to fill fire appliances for fire-fighting purposes, is available from a dam located on private property and is gravity fed to the station utilising two (2) 50 millimetres pipes. The pipes that supply the water are approximately 250 metres in distance.

The brigade have been utilising the water from the dam successfully for some years, however, due to an increasing dry spell, water has become sparse and insufficient to see through this and future fire seasons. The closest alternative water fill point is at the Dardanup Hall, with a turn-around time of approximately 20 minutes. This combination has the potential for the bush/wild fire to escape containment lines which may lead to lose of life and/or property.

The following aerial identifies the dam utilised by the FVBFB in relation to the station:



Installing a static water supply at the Ferguson Fire Station would assist in reducing the identified risks and ensure the FVBFB have the capacity to respond to bushfire.

The following solution has been identified:

- Utilise the funding of \$15,134.41 from a successful application through the 2019-2020 Local Government Grant Scheme (LGGs) to install a permanent water tank, pump and electricity supply to be filled with water from an external water cart;
- Make application to Council for unbudgeted expenditure for required site works of \$2,885.00 to allow for the installation of a permanent water source at the Ferguson Fire Station.

The option to install a bore was also considered, however, after consultation with experts in this area, Ferguson has been identified as not suitable due to its granite terrain.

Council is requested to consider contributing funding for required site works of \$2,885.00 out of the 2019-2020 budget.

Legal Implications

-

The Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) —*
additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Local Government Act 1995 -

S6.10. Financial Management Regulations

Regulations may provide for —

- (a) *the security and banking of money received by a local government; and*
- (b) *the keeping of financial records by a local government; and*
- (c) *the management by a local government of its assets, liabilities and revenue; and*
- (d) *the general management of, and the authorisation of payments out of —*
 - (i) *the municipal fund; and*
 - (ii) *the trust fund,**of a local government.*

Local Government (Financial Management) Regulations 1996

R11. *Payments, procedures for making etc.*

R12. *Payments from municipal fund or trust fund, restrictions on making*

(1) *A payment may only be made from the municipal fund or the trust fund —*

(a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*

(b) *otherwise, if the payment is authorised in advance by a resolution of the Council.*

(2) *The Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the Council.*

Strategic Community Plan

Strategy 3.4.2 - Maintain appropriate emergency services and planning. (Service Priority: Very High)

Strategy 2.1.1 - To protect and preserve open spaces, natural vegetation and bushland. (Service Priority: Very High)

Strategy 3.4.1 - To enable community safety and a sense of security. (Service Priority: Very High)

Strategy 3.3.2 - Support volunteer groups within the Shire of Dardanup. (Service Priority: High)

Strategy 3.5.1 - To protect public health and safety. (Service Priority: High)

Strategy 4.1.4 - To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)

Environment - None.

Precedents

The Bushfire Management Plan (BMP) for Dardanup West highlighted a need to install suitable water tanks at the fire station to increase fire-fighting capabilities. The recommendation was agreed to and appropriate water tanks were installed.

Budget Implications

There is currently no budget allocation for the required site works to allow for the installation of a permanent water source. The following Council co-contribution is to be considered and to come from the Fire Control Reserve. The total capital expenditure is:

REQUIRED WORKS	COSTS	NOTES
Permanent Water Tank, Pump & Electricity Supply	\$15,134.41	2019-2020 Local Government Grant Scheme (LGGGS)
Site Works	\$2,885.00	Written quote obtained - unbudgeted
TOTAL	\$18,019.41	

Budget – Whole of Life Cost

The installation of the permanent water tank and pump will require ongoing maintenance to ensure the equipment is fully operational. When required, water will need to be refilled at \$520.00 per 22,000L which will be funded from the ESL.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.10) for full assessment document.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Adequate water supply for firefighting purposes at the Ferguson Fire Station
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Provision of an adequate water supply.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Health - Failure to provide adequate water supply for firefighting purposes will impact the health of people and cause death or significant injury

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Adequate water supply for firefighting purposes at the Ferguson Fire Station
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Provision of an adequate water supply.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial Impact - Failure to provide adequate water supply for firefighting purposes will impact buildings and agriculture resulting in financial losses.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Adequate water supply for firefighting purposes at the Ferguson Fire Station
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Provision of an adequate water supply.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Service Interruption - Failure to provide adequate water supply for firefighting purposes will impact the Volunteer Bushfire Brigades capacity to respond to a bushfire emergency

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Adequate water supply for firefighting purposes at the Ferguson Fire Station
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Provision of an adequate water supply.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal and Compliance - Failure to provide adequate water supply for firefighting purposes will cause loss and damage resulting in prosecution

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Adequate water supply for firefighting purposes at the Ferguson Fire Station
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Provision of an adequate water supply.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Reputational - Failure to provide adequate water supply for firefighting purposes will cause public news items in the media for failure of the Shire to be able to respond to a bushfire emergency

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Adequate water supply for firefighting purposes at the Ferguson Fire Station
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Provision of an adequate water supply.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against -	<ul style="list-style-type: none"> Environment - Failure to provide adequate water supply for firefighting purposes will cause significant damage to local flora and fauna

Officer Comment -

It is noted that leaving the current water supply as is, will leave the Shire and its community susceptible to the impacts of bushfire, as the supply is insufficient. Investing funds for site works, will allow the Shire to take advantage of LGGs funding to enable the installation of a water tank to see through the upcoming and future fire seasons and ensure the FVFBF have the capacity to respond to bushfire.

Officers recommend the Shire take advantage of the Local Government Grants Scheme funding to install a permanent water supply at the Ferguson Fire Station, to assist in reducing identified risks. Further, Officers recommend that the Shire approve unbudgeted expenditure of \$18,019.41 for the required site works and electricity supply.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

344-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. **Acknowledges the need for the Shire to provide an adequate water supply for firefighting purposes at the Ferguson Fire Station.**
2. **Accepts funding of \$15,134.41 from the DFES through the Local Government Grant Scheme (LGGs) to install a permanent water tank, pump, electricity supply and water at the Ferguson Fire Station in 2019-2020**
3. **Approve as unbudgeted expenditure the amount of \$18,019.41 in the 2019-2020 Budget for the installation of firefighting facilities at Ferguson Fire Station, with Council contributing an amount of \$2,885.00 towards this expenditure which is to be funded from the Fire Control Reserve.**

CARRIED

8/0

By Absolute Majority

12.11 Title: Permanent Road Closure – Part of Ferguson Road Reserve (St Aidan)

Reporting Department: Infrastructure Directorate
 Reporting Officer: Mr James Reilly - Project Development Engineer
 Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. T G Gardiner declared a Proximity Interest in this item as he is a landholder directly opposite the Church and St Aidan Winery.

Cr. T G Gardiner left the room. [6.21pm]

Overview -

The Shire recently called for comment on the proposed permanent closure of a portion of Ferguson Road. The purpose of the closure is to remove surplus road reserve and to correct property boundary anomalies within the immediate vicinity. No objections were received to the proposed closure and the matter is now being brought to Council for consideration.

Background

At its meeting held on 30 August 2017 the Council received an application for development approval for Lot 50 (754) Ferguson Road (St Aidan Winery) - Proposed Restaurant Extension. The application under consideration was for the construction of a 46.2m² enclosed extension of the existing restaurant. The proposed restaurant was approved [Res 223-17].

The development approval requires the existing crossover to be widened and reconstructed to allow two-way traffic to enter and exit the property safely. During deliberations on the matter, Officers identified several issues with regards to the locality of the crossover and existing gate at St Aidan Winery.

The issues as quoted in the report to the Council meeting held on 30 August 2017 are:

- Existing masonry entry gate is located approximately 15m from the St Aidan property boundary and is located in the road reserve.
- Council records indicate the existing entry gate does not have approval from Council.
- Approximately 110m² of adjacent vineyard is also located in the road reserve.

In light of the above, officers consider that whilst safe access and egress to the property remains a concern, it needs to be considered as part of a holistic view of the crossover locality in negotiation with the landowner.

The Council resolution [224-17] with regard to this report is as follows:-

THAT Council instructs the Chief Executive Officer to liaise with the property owner to negotiate options to resolve the outstanding land tenure issues and outstanding approvals associated with the existing entry gate, crossover and portion of vineyard.

Shire staff met with Mr Phillip Smith the owner of Lot 50 (754) Ferguson Road (St Aidan Winery), and a Memorandum of Understanding (MOU) was prepared and signed (Appendix ORD: 12.11A). The MOU sets out the obligations of both parties in order to effect the closure of a portion of road reserve adjacent

to Lot 50 Ferguson Road and amalgamation of a portion of the closed road into Lot 50 Ferguson Road as shown on the below diagram.



In addition to the amalgamation of part of the closed road with Lot 50 (section hatched in cyan above), the following other land transactions are proposed:

- The triangular portion of the closed road reserve adjoining Lot 221 (section hatched in green above) to be amalgamated with Lot 221 with a condition allowing parking on this section of the lot for the public visiting the cemetery;
- A portion of Lot 221 (section hatched in pink above adjoining the eastern boundary of Lot 3) to be excised and amalgamated with Lot 3; and

- The remaining central portion of the closed road (section hatched pink between the cyan and green sections above) to be amalgamated with Lot 3 to provide a battle-axe with road frontage onto Ferguson Road.

On 15 August 2019 the Shire of Dardanup advertised the proposed permanent closure of the section of Ferguson Road road reserve, shown below:



Correspondence was sent to the following agencies Alinta Gas, ATCO Gas Australia, Telstra and Water Corporation. No objections were received from the agencies and no public submissions were received.

Legal Implications

-

The permanent closure of a road is subject to the provisions of Section 58 of the Land Administration Act 1997.

Strategic Community Plan

Strategy 2.2.2- To provide sustainable transport infrastructure. (Service Priority: High)

Strategy 4.1.1- To create connectivity: Support business success by efficient movement and exchange of people, business, goods, services and ideas. (Service Priority: Moderate)

Strategy 5.1.1 - To provide an efficient road network for efficient movement of people and goods by road. (Service Priority: Very High)

Environment

- None.

Precedents

- None.

Council has recently gone through a similar process with the permanent closure of a section of Council Drive road reserve (Lot 507).

Budget Implications

-

The MOU states that the Shire will carry out the initial survey and initiation of the road closure process. The Shire has a consultancy budget that covers such activities. The MOU also states that Mr Smith will be responsible for all costs associated with the Department of Planning, Lands & Heritage. Based on the MOU, Mr Smith will be responsible for the cost of the amalgamation and title changes (i.e. licenced surveyor etc).

The Shire will be responsible for the costs associated with Lot 6, as this parcel of land is the responsibility of the Shire. The Shire's consultancy budget will cover this expenditure as well.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.11B) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Permanent Road Closure – Part of Ferguson Road Reserve (St Aidan)
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Financial Impact - Unbudgeted cost for surveying and preparing legal documents • Legal & Compliance - Ensure compliance with Section 58 of the Land Administration Act 1997

Officer Comment

The purpose of the closure is to remove surplus road reserve and to correct property boundary anomalies within the immediate vicinity. It is recommended that Council support the road closure as detailed on plan A001-18-300-B in (Appendix ORD: 12.11C) and request to Minister to proceed with the closure in accordance with the Land Administration Act.

The sale of the portion of the closed road reserve to Mr Phillip Smith Lot 50 (754) Ferguson Road (St Aidan Winery), as shown on plan A001-18-200-B in (Appendix ORD: 12.11D) and as outlined in the MOU between the Shire of Dardanup and Mr Phillip Smith, will be executed by the Department of Planning Land & Heritage. The Shire of Dardanup does not have powers to undertake this process or have the rights to receive the proceeds from the sale.

It is also advised the Shire of Dardanup finalise negotiations with the owners of Lot 221 Ferguson Road (St Aidan Church) to make alterations to the property boundary whilst also enabling access to Lot 3 Ferguson Road (Ferguson Cemetery) as shown on plans A001-18-201-B at (Appendix ORD: 12.11E) and A001-18-202-B at (Appendix ORD: 12.11F). These changes are necessary to ensure that each of those lots are provided with road frontage.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

345-19 MOVED - Cr. C N Boyce SECONDED - Cr. P S Robinson

THAT Council:

1. **Authorises the Chief Executive Officer to finalise arrangements with the owners of Lot 221 Ferguson Road (St Aidan Church) to make alterations to the property boundary whilst also enabling access to Lot 3 Ferguson Road (Ferguson Cemetery).**
2. **Subject to finalisation of arrangements in Item 1 above, and in accordance with Section 58 of the Land Administration Act 1997, authorises the Chief Executive Officer to formally request the Minister to permanently close a 1067m² portion of Ferguson Road as shown on plan A001-18-300-B; (Appendix ORD: 12.11C)**
3. **Subsequent to Item 2 above, the Chief Executive Officer requests the Department of Planning, Land & Heritage to undertake the following land transactions:**
 - a. **A portion of closed Ferguson Road adjacent to Lot 50 Ferguson Road being amalgamated with Lot 50 as shown on plan A001-18-200-B (Appendix ORD: 12.11D);**
 - b. **A portion of Lot 221 being excised and combined with a portion of closed Ferguson road and both being amalgamated with Lot 3 to create a battle-axe lot with road frontage onto Ferguson Road as shown on plan A001-18-201-B at (Appendix ORD: 12.11E); and**
 - c. **The remaining portion of closed Ferguson road adjoining Lot 221 being amalgamated with Lot 221 as shown on plan A001-18-202-B at (Appendix ORD: 12.11F).**
 - d. **An easement being created on the amalgamated Lot 221, for the purposes of public parking.**

CARRIED
7/0

Note: Cr. T G Gardiner returned to the room [6.22pm].

12.12 Title: Management Order Request – Lot 500 Macleay Street

Reporting Department: Sustainable Development Directorate
 Reporting Officer: Mrs Cecilia Muller - Principal Planning Officer
 Legislation: Local Government Act 1995

Overview

Council has received correspondence from the Department of Planning, Lands and Heritage (DPLH) requesting whether the Shire will be willing to accept the management of the proposed reserve, which has been ceded to the Crown for the purpose of a “Landscape Buffer”.

Officers have considered the request from the DPLH and are recommending that Council accept the Management Order over Lot 500 on DP 67873.

Location Plan



Site Plan



Background

Lot 500 Macleay Street is zoned "Development" under the Shire of Dardanup Town Planning Scheme No. 3 and is identified as Public Open Space under the Roseland at Dardanup – Structure Plan Amendment No.1. A copy of the structure plan is contained in (Appendix ORD: 12.12A).

On 11 March 2016, the Western Australian Planning Commission (WAPC) approved the subdivision of Lot 9500 Cleary Road, Dardanup. A copy of the subdivision approval WAPC No: 153036 is contained in (Appendix ORD: 12.12B).

Lot 500 Macleay Street was created to form part of a 'Reserve for Landscape Buffer' between the residential development to the east and the railway reserve to the west. Lot 500 Macleay Street is 1106m² in size, has been planted with vegetation and contains a drainage basin as per the requirements of the subdivision approval.

Legal Implications - None.

Strategic Community Plan

Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Ongoing management and maintenance costs will need to be considered. These costs will be low as the lot is only 1106m² in size and it is to be maintained as a reserve for landscape buffer purposes.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.12C) for full assessment document.

Tier 3 – 'High' or 'Extreme' Inherent Risk.	
Risk Event	Management Order Request – Lot 500 Macleay Street
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	In order to manage this risk it is recommended that Council accepts management of the reserve to ensure appropriate maintenance of the shires drainage infrastructure and landscaping can occur.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Health - Mosquito breeding may occur in standing water if drainage basin is left unmanaged Financial Impact - By not accepting management of the reserve the Shire will not have access to maintain its drainage infrastructure.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
	<p>Through not maintaining the infrastructure at some stage there would be a cost to the Shire to move and or replace the infrastructure in another location</p> <ul style="list-style-type: none"> • Service Interruption - The reserve has been created in accordance with an endorsed structure plan at subdivision stage. If the Shire does not accept the management order the Shire will not have the necessary access to the land to ensure the landscaping and infrastructure is properly maintained. • Reputational - Community perception may be that the Shire is responsible for the management of the land • Environment - Unmanaged crown land could look untidy, create a fire risk and the drainage basin may not operate correctly if left unmanaged

Officer Comment

Lot 500 Macleay Street was developed as a 'Reserve for Landscape Buffer' as part of the requirement for subdivision. The developer is usually responsible for the initial development of such reserves where after the maintenance responsibility is usually borne by the Shire. If the Shire has the management order it allows the Shire to access the lot for management of the vegetation and the drainage basin which will benefit the residents in the area. It is therefore recommended that Council accept the management Order over Lot 500 Macleay Street on Deposited Plan 67873.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

346-19 MOVED - Cr. M T Bennett SECONDED - Cr. C N Boyce

THAT Council advises the Department of Planning, Lands and Heritage that Council is prepared to accept the Management Order over Lot 500 Macleay Street on Deposited Plan 67873.

CARRIED
8/0

12.13 Title: Shire of Dardanup Recycling and Sustainable Procurement Practices

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Luke Botica - Director Infrastructure
Legislation: Local Government Act 1995

Overview -

Council Resolution [OCM 301-19] from the Ordinary Council Meeting held on 16 October 2019 required the Chief Executive Officer to prepare a report addressing several recycling and waste management matters for presentation to the Ordinary Council Meeting to be held on 27 November 2019. This report is hereby provided to Council in accordance with the resolution.

Background

At the Ordinary Meeting of Council held on 16 October 2019 it was resolved [OCM 301-19]:

THAT Council requests the Chief Executive Officer to report back to the Ordinary Council Meeting to be held 27 November 2019 to:

1. *Investigate the range and proportional quantity of goods made from recycled materials that the Shire of Dardanup currently purchase;*
2. *Consider setting a target percentage of goods with recycled content to be purchased;*
3. *Audit the contents of the recycle bins for the Shire of Dardanup; and*
4. *Revisit the third bin system.*
5. *Report on how much recycling material in Western Australia, after sorting, is taken to landfill as there is currently no market for it.*

The items raised in the resolution have been investigated by Shire staff and is hereby reported back to Council in accordance with the timeframe required by the resolution.

Legal Implications - None.

Strategic Community Plan

Strategy 2.1.3- Provide our community with a variety of waste disposal options to minimise the impact of waste disposal on our natural environment. (Service Priority: Very High)

Strategy 2.1.4 - To be climate change aware. (Service Priority: Moderate)

Strategy 2.2.1 - To conserve natural resources. (Service Priority: High)

Environment

The items raised and discussed in this report have both a direct and indirect effect on the environment.

The use of materials and consumables that have a recycled content by the Shire of Dardanup adds to the demand for recyclables and will hopefully have the flow on effect of increasing the recovery of recyclables by waste industries and its use by the manufacturing sector.

The introduction of a third bin system will improve resource recovery through the collection and processing of FOGO into compost. This would result in a significant diversion of waste from landfill.

Precedents

Council had previously considered the implementation of the third bin system. At the Special Meeting of Council held 15 June 2015, Council resolved as follows:

THAT Council:

1. *Does not pursue the introduction of a third bin system for the collection of organics/green waste at this time and reconsiders the proposal during the 2016 Strategic Planning Process.*
2. *Advises the Waste Authority that it will not accept the Better Bins funding offer of up to \$168,000 for the introduction of an organic/green waste collection service at this stage due to current uncertainties associated with the processing of organic/green waste;*
3. *Review the Waste Strategy if the Waste Levy is introduced into the South West.*

It should be noted that the Council decided not to reconsider the proposal in 2016.

Budget Implications -

There are cost implications associated with the use of recycled materials and consumables in the Shire's operations. It is difficult to quantify the extent of this cost, but it is known from experience that the purchase of some materials with a recycled content are more expensive than those from traditional sources. For example, a recycled plastic bollard is more expensive compared to a treated pine bollard (as quoted by a company that supplies both if purchased in batches of 20):

Material	Size	Shape	Length	Price Each ex GST
Treated Pine	125mm	Domed top round	1.2m	\$18.15
Treated Pine	150mm	Domed top round	1.2m	\$24.95
Recycled Plastic	100mm	Square	1.2m	\$36.00

In the above example, if 250 recycled plastic bollards were purchased in a year instead of the 125mm treated pine bollards, it would equate to an increase of \$4,462, an increase in the vicinity of 98%.

In regards to Item 4 of the Council resolution, the introduction of a FOGO collection and disposal service will increase the overall cost of the Shire's waste services. Based on a preliminary assessment by staff of the costs of a three bin system versus a two bin system, the three bin system would incur an increase in the annual waste levy. The increases are estimated based on current information, and are as follows:

Year	Increase due to purchase of FOGO bins	Increase due to FOGO operational costs*	Total annual increase above two bin system	% Increase above two bin system
1	\$61	\$28	\$89	39.0%
2	\$0	\$28	\$28	12.2%
3	\$0	\$29	\$29	12.2%
4	\$0	\$29	\$29	12.3%
10	\$0	\$32	\$32	12.6%

* These figures also include an amount for the ongoing replacement and repair of bins, including FOGO bins.

It should be noted that the first year consists of the one-off capital cost of bin purchases for the new FOGO service. The cost of the first year could possibly be offset slightly if the Shire was able to secure some State funding for the implementation of the new service. If the Shire was able to secure \$24 per services (as what was offered to the Shire in the past), the annual increase is estimated as follows:

Year	Increase due to purchase of FOGO bins	Increase due to FOGO operational costs*	Total annual increase above two bin system	% Increase above two bin system
1	\$37	\$28	\$65	28.5%
2	\$0	\$28	\$28	12.2%
3	\$0	\$29	\$29	12.2%
4	\$0	\$29	\$29	12.3%
10	\$0	\$32	\$32	12.6%

* These figures also include an amount for the ongoing replacement and repair of bins, including FOGO bins.

It should be noted that the operational cost increase is the net operational increase derived as the cost of the additional FOGO service less the savings in the general waste operations.

Budget – Whole of Life Cost -

A move to increase the use of recyclables is expected to increase costs annually, and will depend on the proportion of recyclables used and the nature and purpose of its use. It is difficult to quantify the extent of this cost, not just from an initial purchase perspective, but also from an all-of-life cycle cost. It is not clear whether recycled materials will achieve an extended asset life. Further to this, it is not clear what occurs with the item when it reaches the end of its useful life – for example, it is not clear whether the plastic bollards used by the Shire can be further recycled or end up being landfilled.

Council Policy Compliance

With regard to the purchasing of recyclable materials Council Policy CP034 – *Procurement* refers to considerations of environmental factors to determine the most advantageous supply outcome that contributes to achieving strategic and operational objectives. The following excerpts from the Policy are provided for information:-

Item 4.2 – Value for Money states:-

- *Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire of Dardanup achieving its strategic and operational objectives.*
- *The Shire of Dardanup is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).*

Item 5 – Sustainable Procurement and Corporate Social Responsibility states:-

The Shire of Dardanup will embrace Sustainable Procurement by applying the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes. Sustainable Procurement can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).

Requests for Tenders will include a request for information from Suppliers regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

Item 5.4 – Purchasing from Environmentally Sustainable Businesses states:-

The Shire of Dardanup will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefits for the Shire of Dardanup's achievement of its strategic and operational objectives. A qualitative weighting will be used in the evaluation of tenders to provide advantages to suppliers which:

- *demonstrate policies and practices that have been implemented by the business as part of its operations;*
- *generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and*
- *encourage waste prevention, recycling, market development and use of recycled/recyclable materials.*

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.13) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Shire of Dardanup Recycling and Sustainable Procurement Practices
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Health - Recycled items include content that could impact on health. For example, crushed concrete could include asbestos.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Shire of Dardanup Recycling and Sustainable Procurement Practices
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Residual Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Environmental - Recycled items include content that could impact on environment. For example, crushed concrete could include materials that leach into water table.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Shire of Dardanup Recycling and Sustainable Procurement Practices
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Residual Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Reputation - Recycled content failure or contamination issue draws negative attention from media and community.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Shire of Dardanup Recycling and Sustainable Procurement Practices
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implement a waste education program regarding recycling and waste recovery
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial - Requiring the use of recycled content results in increased expenditure and need for over budget expenditure

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Shire of Dardanup Recycling and Sustainable Procurement Practices
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implement a third bin system with a FOGO collection to reduce waste to landfill.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial - Requiring the use of recycled content results in increased expenditure and need for over budget expenditure

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Shire of Dardanup Recycling and Sustainable Procurement Practices
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implement a third bin system with a FOGO collection to reduce waste to landfill.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal - Products containing recycled content does not comply with specifications

Officer Comment

The officer comment section is divided into each of the items raised in Council resolution [301-19]. Some items are grouped together as they are interrelated.

- 1 *Investigate the range and proportional quantity of goods made from recycled materials that the Shire of Dardanup currently purchase; and*
2. *Consider setting a target percentage of goods with recycled content to be purchased.*

In order to gather some preliminary information about sustainable procurement practices and use of recycled materials and consumables within the organisation, a survey (via survey monkey) of managers has been undertaken. It should be noted that the purpose of the survey was to provide a snapshot to guide decision making and may not capture all current practices of the organisation.

The following questions were asked:

- Do you or your team purchase any items that are recycled or contain a recycled content?
- If you have answered yes to Q1 please list the recycled items that you currently purchase below.
- Are there further recycled items that could be considered for purchase in the future by your team?
- Are there any items within your team operations that can be reused?
- If you have answered yes to Q4 please list the items within your team operations that can be reused.
- If you have answered no to Q4 please list the items within your team operations that could be reused in the future.
- Are there any products that your team purchases or uses that can be recycled or repurposed at the end of its useful life (to reduce landfill)?
- If you have said Yes to Q8 please specify any purchases that can be recycled or repurposed at the end of its useful life (to reduce landfill)?
- Overall how well do you think that your team supports recycling in your day to day operations?
- Are you aware of the Shire's Procurement Policy with regard to environmental considerations?
- Please provide any further comments you would like to contribute.

The results of the survey are attached at (Appendix ORD: 12.13B).

Overall, the results of the survey show that the use of recyclable materials at the Shire of Dardanup are not at the forefront of procurement activities and in many cases not even considered. In some cases recycled materials are already included in the products that are used (i.e. not specifically asked for or sought). In other words, significant improvements could be made on the proportion of recycled materials and consumables used by the Shire should the Council wish to pursue and emphasise the use of recycled materials in its day-to-day operational and project materials procurement.

The following table has been prepared that demonstrates some of the areas that are currently identified as either already containing, or could contain, a proportion of recycled content. The table provides a description of the activity or component used by the Shire, the estimated proportion that is currently consisting of recycled content, the opportunities that exist for adding or increasing the proportion of recycled content, a possible target that could perhaps be achieved, actions to be taken to achieve it and a timeframe. It should be noted that this is a preliminary assessment prepared for indicative purposes only for this report. Should Council adopt a position whereby it wishes to pursue increased use of recycled materials and consumables, this list would then be developed further by staff to form an action plan to improve on current practices and proportions of recycled content.

Area / Activity / Component	Current % Est.	Comments	Opportunities	Target %	Action	When
Road construction - Subbase material	0	Staff have considered crushed concrete options several years ago as an alternative to limestone for subdivisional works. Performance based on lab testing was inferior and therefore not accepted.	Adopt specifications that would allow the supply of crushed concrete. This could be included in future supply tenders and contracts	25% of all subbase material	Develop specification for crushed concrete subbase. Amend tenders to include crushed concrete subbase in Shire projects. Amend Subdivision Guidelines addendum to include crushed concrete.	Develop specification for implementation in 2020-2021
Road construction - Base course material	0	Not accepted due to concerns with quality and performance			Continue to monitor usage trends in civil construction industry.	Ongoing
Road construction - Chip seal aggregate	0	Alternatives currently unknown				
Bitumen	0	Crumbed rubber additives are available. Only used for specific purposes that demand a modified bitumen. This product is more expensive per litre of bitumen, plus requires heavier application.	Adopt specifications that would allow the supply of PMB products that include crumbed rubber. Crumbed rubber PMB could be included in future supply tenders and contracts and available for special applications	Where PMB product is required in reseal works	Include specification for crumbed rubber PMB product in Shire's bitumen tenders and contracts.	Develop specification for implementation in 2020-2021
Asphalt	0	Glass can be an additive to replace some of the aggregate used. Crushed glass (to specification) is required to be sourced.	Discuss this option with local asphalt suppliers. Adopt specifications that would allow the use of glass in asphalt mixes. This could be included in future supply tenders and contracts	Initial trial	Engage with local asphalt suppliers to develop specification and local trials. Consider further when outcomes assessed and capacity understood.	During 2020-2021
Drainage materials	0	Crushed concrete can be used, however, quality of product must be suitable for application.	Adopt specifications that would allow the supply of crushed concrete as a drainage aggregate. This could be included in future supply tenders and contracts	Initial trial	Develop specification for crushed concrete drainage aggregate. Carry out local trials. Consider further when outcomes assessed and impact on environment is understood.	During 2020-2021
Materials for stabilisation	0	Shire has used crushed concrete for stabilising along the Collie River banks. Majority has been successful; however, there have been issues with contamination, such as plastic and pieces of reinforcing steel.	Adopt a specification that would allow its use.		Develop specification for crushed concrete drainage in use with other materials. Carry out local trials. Consider further when outcomes assessed and impact on environment is understood.	During 2020-2021
Unsealed pathways	10	The Shire has allowed developers to use a 50:50 mix of limestone and crushed concrete in the Dardanup West bridle paths for at least 5 years now. Performance has been reasonable.	All new shire unsealed pathways could consist of this material combination.	100	Develop specification for crushed concrete as a pathway material in combination with limestone. Amend tenders to include crushed concrete in Shire unsealed pathway projects. Amend Subdivision Guidelines	Develop specification for implementation in 2020-2021

Area / Activity / Component	Current % Est.	Comments	Opportunities	Target %	Action	When
					addendum to include crushed concrete.	
Bollards	50	Shire has been replacing old bollards in parks and POS with plastic bollards produced from recycled plastic	Continue the use albeit at a higher cost.	100	All bollards to be used are to be from recycled plastic.	Immediate
Boardwalk decking	5	Some boardwalks have plastic decking produced from recycled plastic.	Continue the use albeit at a higher cost.	100	All boardwalk decking in new boardwalks and major renewals of existing to use plastic decking produced from recycled plastic.	Immediate
Paper	0	Currently the Shire does not use recycled paper	Purchase a significant portion of recycled paper	Initial Trial	Undertake an initial trial for recycled paper to see where it can be applied and to determine potential cost implications. Consider trialing a Council Agenda	Immediate
Garden Mulch / woodchip	100	All mulch / woodchip originates from green waste. Shire chipped 1800m ³ its own in 2019 for reuse in Shire parks	Continue to stockpile greenwaste from road projects and maintenance and reserve maintenance	100	Continue current practices.	Ongoing
Playground Soft fall	30	Recycled rubber is used in the manufacture of rubber soft fall for playgrounds	Continue to use rubber soft fall made from recycled rubber where universal access is required and sand is not the preferred surface.	As required	Ensure that rubber soft fall when used is manufactured from recycled rubber.	Ongoing
Erosion control	10	Coconut fibre materials are used for erosion control when such properties are required.	Continue to use coconut fibre where suited.	As required	Use coconut fibre materials where suited.	Ongoing
Construction fill material	0	There have been successful trials of recycled glass being used as fill i.e. backfill of drainage trenches.	Staff are not aware of such a product being available locally. The Shire could encourage its trial production and use.	Unknown	Discuss opportunities with recycling industry and other local governments.	Immediate and ongoing

As mentioned previously in this report Council Policy CP034 – *Procurement* refers to considerations of environmental and social factors to determine the most advantageous supply outcome that contributes to achieving strategic and operational objectives.

In 2017 WALGA produced the “WALGA Guide to Sustainable Procurement” to assist local governments to define an accountability framework to enable sustainable services and infrastructure to be delivered to the community through effective procurement processes and decision making. The link to the document is as follows:-

<https://walga.asn.au/Procurement/Sustainable-Procurement>

This document also refers to the international standard relating to sustainable procurement ISO20400:2017 and recommends that this standard is used in conjunction with the guide.

Sustainable procurement is defined by ISO20400:2017 as:-

“Procurement that has the most positive environmental, social and economic impacts possible over the entire life cycle”

Sustainable procurement is therefore not just about sourcing environmentally friendly (or ‘green’) products, it is a decision making enabler that considers the total purchase cost of goods and services across the entire life cycle, which is consciously measured on the positive and negative impacts that the procurement decision will have on the environment, society and the economy, in accordance with a predefined governance framework that enables compliant and ethical business practice. For every purchasing decision made, regardless of value, it is imperative to plan for, evaluate and measure those identified sustainable impacts.

The WALGA Guide acknowledges that the local government sector spend a significant amount of money on goods and services which in turn makes a key contribution to the state’s economy. The Shire therefore has an opportunity to apply a more sustainable procurement culture to establish appropriate rationale for investing with suppliers that are positively contributing to its key sustainability objectives and divesting from those that cause detriment.

This approach can be applied to the Shire’s current procurement practices. The implementation of this approach is complex and one that will require further work in:

1. Clearly identifying the environmental benefits (including the amount of recycled content) in the assessment of tenders and quotations; and
2. Offering sufficient and appropriate weighting to the assessment of environmental benefits in context of the overall assessment of the tender or quotation.

The above approach is expected in circumstances that require goods and/or services consisting of a recycled content to compete against those that do not have any recycled content. Alternatively, where Council decides to only use goods and/or services consisting of a recycled content, then such requirement can be stipulated in the scope and specification as being the case.

It is recommended that in the first instance, a simple change that can be implemented by staff is the inclusion of the option to supply recycled goods and/or services into the Shire’s tenders and quotations. For example, the next construction materials (subbase and base course) tender, the Shire can include the supply of recycled concrete in addition to the traditional construction materials of gravel and limestone.

- *3 Audit the contents of the recycle bins for the Shire of Dardanup*

The following comments were provided to the Ordinary Council Meeting held on the 16 October 2019 in relation to the same matter. It has been updated to reflect the recent additional findings of the recycling waste audit.

The Shire had recently participated in an audit measuring the waste contamination levels in the Shire’s recyclables collection service. Audits are now being undertaken on a quarterly basis as part of the recently negotiated variation to the recycling processing contract with Suez. The contamination rates impact on the contract rates being charged.

22.28 tonnes was diverted to the recycling service during the week commencing 23 September 2019. Five samples were randomly taken, representing 1.11 tonnes in total, which were then audited. Representatives from Suez, Bunbury Harvey Regional Council, and the Shire of Dardanup, audited the samples in Suez’s transfer depot.

The audit indicated the following:

- An average of 63% of the samples comprised recyclable materials;
- An average of 27% was considered contamination; and
- An average of 10% was considered recyclable under the Shire's Contract with Suez, however, Suez alleges that this material is not actually recyclable at its Material Recovery Facility in Bibra Lake and is sent to landfill.
- As such, based on the samples audited, the actual rate of materials sent to landfill may be considered as 37%.

In 2018-2019, the Shire collected a total of 5,278 tonnes of waste and recyclables combined. Of this, 1,118 tonnes (21.2%) was sent to recycling processing (Suez) and 4,160 tonnes (78.8%) to landfill (Cleanaway).

When the current recycling rates from the audit are applied, the figures can be adjusted as follows:

- 704 tonnes (13.3%) of the overall waste is recycled; and
- 4,574 tonnes (86.7%) of the overall waste is sent to landfill.

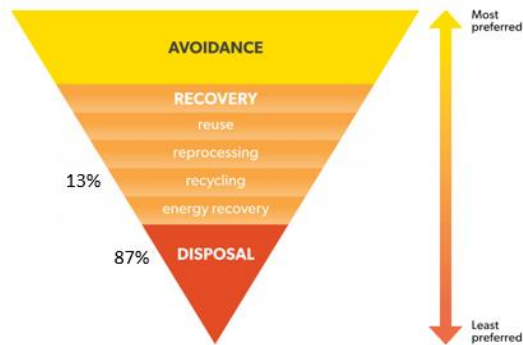
Of the 4,574 tonnes sent to landfill, 4,160 tonnes is collected and sent directly to the Cleanaway Banksia Road Facility as per the current waste collection and disposal contracts with Cleanaway. The remaining 414 tonnes sent to landfill is generated from the recycling collection and processing that is carried out by Suez in Perth.

The Shire received a report from an independent auditor on the audit and its results. This is provided in (Appendix ORD: 12.13C)

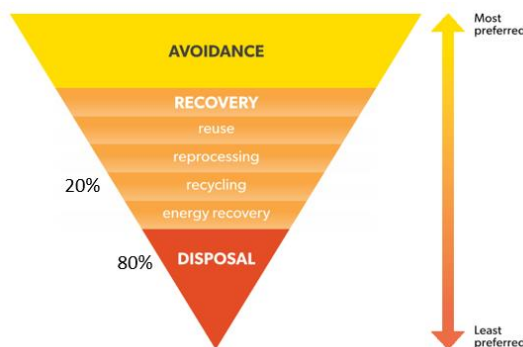
The findings of the audit clearly indicate that significant improvements can be and need to be made in regards to the levels of contamination currently experienced in the recyclables collection service. This can be dealt with through a well-developed and executed education program that will aim to educate residents on the items that are accepted in the recycling bin as well as how the items are to be presented (e.g. lids off containers, containers emptied and rinsed etc.). This can then be further reinforced through an audit process and community engagement process where attention is required.

Improvements to the levels of contamination in the recyclables collection service not only has environmental benefits but also reduces the cost of the service under the current contract conditions.

The following diagram (which uses the Waste hierarchy from the Waste Avoidance and Resource Recovery Strategy 2030) shows the current split between waste recovery and disposal. This is based on the fact that the last audit of recyclables indicated that 37% of recyclables was being sent to landfill.



If the Shire's recycling contamination was able to be reduced to 5%, the split between waste recovery and disposal would be as follows:



The Shire has the opportunity to approach the Regional Waste Education Officers to seek assistance in developing a program to address the contamination issue. Should this not be enough or the program identifies the need to allocate further resources, the Shire may need to consider whether further resources can be allocated to waste management. This will be monitored and further explored at the time – for example, the cost of further resources could potentially be offset by contractual savings derived from reduced levels of contamination.

- 4. *Revisit of the three bin system*

The three bin system looks at reducing waste through undertaking a broader view on waste management which looks at implementation of strategies outlined in the State governments recent Waste Avoidance and Resource Recovery Strategy (WARR 2030). The Strategy provides a strong vision and objectives on reducing waste across Western Australia by breaking into waste streams and applying methods to close the loop on waste disposal through waste avoidance across the state, and increasing waste recovery before disposal. To undertake this, a key push for waste avoidance is creating a circular economy, pushing all levels of waste production to reconsider using renewable materials, resource recovery, innovation, shared responsibilities across manufacturing and government, and procurement.

Beyond this, the plan outlines ways to increase recovery through removing food and waste organics, which may account for between 50-60% of all landfill waste and removing it from landfill by composting. At the end of this waste system is how we dispose of the remaining materials and this will be sent to more appropriate and well managed landfills, with a plan to expand levies on landfills outside of the metropolitan area. In addition to state requirements, the State Government just released a statement on Friday, 8 November 2019 about levy increases looking at expanding the geographic extent of waste level to outside of the metropolitan area:

(<https://www.mediastatements.wa.gov.au/Pages/McGowan/2019/03/Waste-levy-capped-for-2019-20.aspx>).

All of these recent initiatives have direct consequences for the Shire's waste management in the near future, and should drive conversation regarding the introduction of a third bin to take food and green waste organics (FOGO) out of heavy waste streams. The BHRC is focussing on assisting local governments in the South West region in looking at FOGO and has recently assisted the Shire of Harvey in rolling the FOGO bin and service out to their community.

The Shire investigated the option of implementing a three bin system back in 2015 at which time Council resolved to retain its current two bin system.

Since then, there has been growing discussion regarding Council's decision and the possibility of a reconsideration on the matter.

All of the Shire of Dardanup's neighbouring local governments have now implemented a three bin system and a FOGO composting facility operated by the BHRC is located in the Shire of Dardanup immediately adjacent to the Shire of Dardanup's Banksia Road Waster Transfer Station. The Shire of Dardanup's bulk green waste collection is currently disposed of to the BHRC composting facility.

Staff have prepared preliminary calculations on the costs of changing to a three bin system.

The 2019-2020 annual waste levy charged per combined two bin service is \$225.70 (i.e. general waste and recycling bin). Calculations have been prepared on the two bin system and three bin system for a ten year period starting from 2020-2021:

Scenario	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Two Bins	\$229	\$231	\$234	\$236	\$238	\$241	\$243	\$246	\$249	\$251
Three Bins	Operational \$258 Capital \$61 Total \$319	\$259	\$262	\$265	\$268	\$271	\$274	\$277	\$280	\$283
Difference	Operational \$28 Capital \$61 Total \$89	\$28	\$29	\$29	\$29	\$30	\$30	\$31	\$31	\$32

Note: The figures shown in the above table may change at the time of Long Term Financial Plan and Budget review based on updated growth rates and cost index. Capital cost component of the levy of \$61 relates to the one-off initial purchase of the FOGO bins.

The following information is provided in regards to the first year of the introduction of the three bin system (note that the following figures are based on current rates increased by the projected cost index and other growth factors):

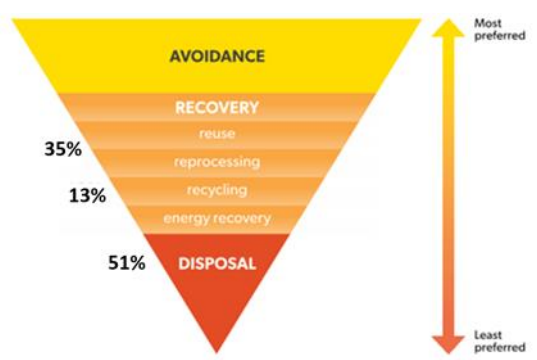
- FOGO waste disposal is expected to be in the vicinity of \$26.30 per tonne as compared to general waste to landfill at \$47.52 per tonne.
- The current average annual general waste to landfill amount of 830kg per service is estimated to reduce to 450kg per service. This equates to a reduction of 2,153 tonnes per annum of waste sent to landfill, and a landfill disposal cost saving of approximately \$102,000. This equates to a 45.8% reduction in waste to landfill from the Shire's kerbside general waste collection.
- It is estimated that 380kg per annum of FOGO waste will be collected and sent to composting at a cost of \$57,126 per annum (this figure does not include collection and transport).

- The three bin system will alter the general waste collection from weekly to fortnightly, the new FOGO collection will be weekly and the recycling collection will remain the same at fortnightly. The net change equates to an extra fortnightly pickup overall at a total extra annual cost of \$183,234.
 - o
- The acquisition of bins for the FOGO collection is estimated at \$350,105 including delivery to each premise. There may be an opportunity to seek grant funding as explained further below, which may reduce this cost by approximately \$136,000.
- The annual replacement and repair costs is expected to increase as well, at an additional \$4,578 per annum.

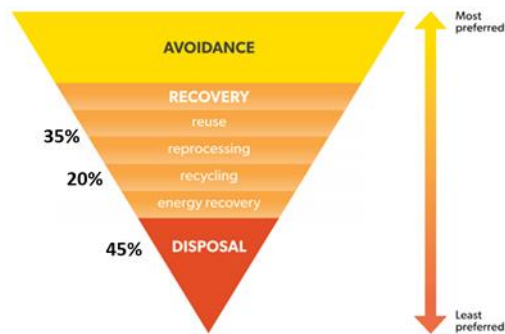
There may be opportunity to receive funding from the Waste Authority for the implementation of a FOGO collection service. Based on previous rounds of funding, and should there be a new funding round, it is expected that the Shire may be eligible of receiving \$24 per service for a standard bin size service and \$30 if it changed to a smaller general waste bin. If the Shire were to receive \$24 per service, it would equate to a funding amount in the vicinity of \$136,000. This would reduce the estimated annual levy to \$295, which then becomes a \$65 increase over the two bin system.

The calculations were developed based on assumptions on the amount of FOGO is contained within the current general waste stream. The assumption of 380kg per annum per service was derived from figures obtained from the Shire of Capel. Shire staff believe that the Shire of Dardanup's FOGO proportion should be relatively similar. Shire staff are considering the benefits of undertaking an audit of the Shire's general waste collection to determine the current proportion of FOGO. This could also be useful in determining the proportion of recyclables that is also contained within the general waste, and whether there are any other opportunities for recovery of materials etc. This could also provide some guidance on whether a smaller general waste bin could be implemented in a three bin system (note that in the past greater funding was offered to three bin services that also changed the general waste bin to a smaller one).

Using the Waste hierarchy diagram from the Waste Avoidance and Resource Recovery Strategy 2030, if a FOGO collection service was provided at the Shire, the split between waste recovery and disposal would be as follows. This is based on the fact that the last audit of recyclables indicated that 37% of recyclables was being sent to landfill.



If the Shire's recycling contamination was able to be reduced to 5%, and if a FOGO collection service was provided at the Shire, the split between waste recovery and disposal would be as follows:



Based on the above figures, and assuming that the FOGO achieves similar contamination levels as the neighbouring local governments at 2%, and recycling contamination can be reduced to 5%, it is estimated that, through a three bin system, the Shire could divert 55% of all waste collected from its kerbside collection service from landfill. This would be a significant improvement on the current rate of 13% resulting from the relatively high contamination rate in the recycling component of the two bin system. In the event that the State introduces a waste levy to regional areas, a third bin system would significantly reduce the cost impact it would bring.

Council could consider various options to reduce the cost impact in the first year of introducing the FOGO collection service. This could include taking a loan for the purchase of bins or other means of spreading the initial purchase cost of the bins across several years. This could be explored further by the Shire's finance team. It should be noted that the waste levies of neighbouring local governments are already higher than the Shire of Dardanup due to the three bin service:

Local Government	System	2019-2020 Waste Levy (pa)	2020-2021 Projected Waste Levy (pa)	2021-2022 Projected Waste Levy (pa)
Bunbury	Three bin	\$326.50		
Capel	Three bin	\$254.00		
Donnybrook-Balingup	Three bin	\$265.00		
Harvey	Three bin	\$308.00		
Dardanup (without funding)	Two bin	\$225.70	\$229	\$231
	Three bin		Capital \$61 Operational \$258 Total \$319	\$259
Dardanup (with funding of \$24 per service)	Three bin		Capital \$37 Operational \$258 Total \$295	\$259

When considering the option of introducing the third bin system to the Shire of Dardanup, Council should give consideration to the targets suggested in the State's Waste Avoidance and Resource Recovery Strategy 2030 and how it could apply to the Shire's operations. An extract of the Strategy relating to the Key Strategy Elements is provided below.

VISION	Western Australia will become a sustainable, low-waste, circular economy in which human health and the environment are protected from the impacts of waste.			Supporting documents Other documents which align with or support this strategy. Waste Avoidance and Resource Recovery Strategy 2030 include the: <ol style="list-style-type: none"> 1. Waste Avoidance and Resource Recovery Strategy 2030 Action Plan 2. Waste Authority position and guidance statements 3. State Waste Infrastructure Plan 4. Annual Business Plan 5. Waste Data Strategy
OBJECTIVES	Avoid Western Australians generate less waste.	Recover Western Australians recover more value and resources from waste.	Protect Western Australians protect the environment by managing waste responsibly.	
TARGETS	<ul style="list-style-type: none"> 2025 – 10% reduction in waste generation per capita 2030 – 20% reduction in waste generation per capita 	<ul style="list-style-type: none"> 2025 – Increase material recovery to 70% 2030 – Increase material recovery to 75% From 2020 – Recover energy only from residual waste 	<ul style="list-style-type: none"> 2030 – No more than 15% of waste generated in Perth and Peel regions is landfilled. 2030 – All waste is managed and/or disposed to better practice facilities 	
HEADLINE STRATEGIES	<ul style="list-style-type: none"> A consistent three bin kerbside collection system, which includes separation of food organics and garden organics from other waste categories, to be provided by all local governments in the Perth and Peel region by 2025 and supported by State Government through the application of financial mechanisms. Implement local government waste plans, which align local government waste planning processes with the Waste Avoidance and Resource Recovery Strategy 2030. Implement sustainable government procurement practices that encourage greater use of recycled products and support local market development. Provide funding to promote the recovery of more value and resources from waste with an emphasis on focus materials. Review the scope and application of the waste levy to ensure it meets the objectives of Waste Avoidance and Resource Recovery Strategy 2030 and establish a schedule of future waste levy rates with the initial schedule providing a minimum five year horizon. Develop state-wide communications to support consistent messaging on waste avoidance, resource recovery and appropriate waste disposal behaviours. Review and update data collection and reporting systems to allow waste generation, recovery and disposal performance to be assessed in a timely manner. Undertake a strategic review of Western Australia's waste infrastructure (including landfills) by 2020 to guide future infrastructure development. 			

Of particular note is the objective heading “Recover” and the targets under this objective aiming to increase material recovery. It also states “From 2020 - Recover energy only from residual waste”.

Council has previously expressed its desire for a waste to energy plant to be established in the region. The Shire President and Chief Executive Officer have been actively promoting this as an alternative to landfill for the future of waste management in the region. Should waste to energy become available to the region, it is expected that this would only be supported by the State if the Shires supplying the waste can demonstrate that the waste is truly residual waste and that all possible avenues of material recovery have been undertaken. Due to FOGO being a proven and effective material recovery option, it would be reasonable to expect that such a service would need to be implemented into the Shire's operations before any waste could be sent to waste for energy.

It is therefore recommended that Council support, in principle, the introduction of a three bin system. Before making a final decision on the implementation of a three bin system, the following matters should be considered and would ultimately inform the Council in regards to when and how the system could be rolled out:

- Determine funding opportunities, from both external and internal sources, which can be used to minimise the initial cost impact resulting from the acquisition of bins in the first year of the three bin system.
- Inform the community of Council's in principle support and confirm community support of the proposal.
- Scope out and prepare a project plan for its implementation, to understand timeframes and the lead time required to effectively introduce the new system.

It is anticipated that a new Better Bins funding round may be launched early in the new year. If Council provides in principle support to the three bin system, Shire staff can commence research, community engagement and project planning in preparation for a further report to Council in the new year that will seek further direction on the proposal and support for any application for funding. Eventual timing of the funding round will determine the timeframe and achievability of the report to Council – the Council will be kept informed of developments in this space.

- 5. Report on how much recycling material in Western Australia, after sorting, is taken to landfill as there is currently no market for it.

It is not clear how much recycling material in Western Australia, after sorting, is taken to landfill as there is currently no market for it. Shire staff could not readily find such information. However, Shire staff have asked the Shire's current recycling processing contractor Suez on their understanding of this, and they responded that, currently, only the contamination is sent to landfill, which on average is in the order of 20% of all material processed. All recyclable material is currently being recycled through the respective markets. The above-stated 20% contamination rate takes into account both domestic and commercial recycling. The commercial recycling is of much lower contamination, therefore, reduces the overall contamination rate.

The Waste Authority and West Australian State government released their comprehensive Waste Avoidance and Resource Recovery Strategy (WARR 2030) earlier this year. This document states WA's per capita waste production was higher than any other capital city, and our recovery rates for recycling are lower. <http://www.wasteauthority.wa.gov.au/about/waste-strategy>. This is in part generated by a number of complexities such as our reliance on mineral and resource industry, our isolation and large geographical size.

The volumes of recycled materials produced by WA that isn't recycled is also difficult to quantify, as it varies regularly depending on WA's external agreements with other countries and new emerging markets which change frequently. The WARR document aims to look at ways in which this can be improved through comprehensive strategies and actions over the coming 10 years.

It is worth noting however that the Federal government just released a statement regarding banning export of all recycled waste materials within the next 3 years:

(<https://www.news.com.au/technology/environment/conservation/time-frame-set-for-ban-of-exported-recyclable-waste-from-australia/news-story/8923a0a2a10e08b6e105cc155b722e25>)

This coincides with initiatives being introduced such as container recycling schemes and repurposing of recycled materials for building and construction.

Meanwhile, the State government is requiring that all local governments write a Waste Plan to address previous annual waste censuses and to address the WARR document. Workshops on guidance for the production of Waste Plans is occurring this December and into next year. Final Waste plans aren't required to be submitted until 30 Sept 2020. Shire staff have commenced preparing a Waste Strategy and Plan for the Shire of Dardanup. This will be presented to Council for adoption in coming months.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Receives this report addressing the items raised in Council Resolution [301-19] from the Ordinary Meeting of Council held on 16 October 2019;
2. Instructs the Chief Executive Officer to include, where possible, the option to supply recycled goods and/or services into the specifications for the Shire's tenders and quotations.

3. Authorises the Chief Executive Officer to seek the assistance of the Regional Waste Education Officers to develop a program to address the contamination issue in the Shire's recyclables collection service.
4. Supports, in principle, the introduction of a three bin system in the Shire of Dardanup.
5. Requests the Chief Executive Officer to prepare a report to Council for further consideration of the three bin system, reporting on:
 - a. Funding opportunities, the financial impact of the proposal and recommended action;
 - b. Outcomes of community engagement; and
 - c. Project delivery timeframes, the possibility of introducing the service in the 2020-2021 financial year and recommended timing.

Discussion:

Cr. S Gillespie put forward an Alternate Resolution to the item requesting more community education and engagement to try and reduce the overall rate of contamination in the waste currently collected and encourage correct use of the current two bin system, before adding in a third bin.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

- Increase community education and engagement prior to making a decision on introducing the three bin system.

COUNCIL RESOLUTION

347-19 MOVED - Cr. S Gillespie SECONDED - Cr. J Dow

THAT Council:

- 1. Receives this report addressing the items raised in Council Resolution [301-19] from the Ordinary Meeting of Council held on 16 October 2019;**
- 2. Instructs the Chief Executive Officer to include, where possible, the option to supply recycled goods and/or services into the specifications for the Shire's tenders and quotations.**
- 3. Authorises the Chief Executive Officer to seek the assistance of the Regional Waste Education Officers to develop a program to address the contamination issue in the Shire's recyclables collection service.**

- 4. Requests the Chief Executive Officer to prepare a report to Council for further consideration of the three bin system, reporting on:**
 - a. Funding opportunities, the financial impact of the proposal and recommended action;**
 - b. Outcomes of community engagement undertaken to seek feedback about whether or not the community wants the service and if so how the service would be delivered;**
 - c. The review of the rollout of intensive community education programs on recycling;**
 - d. The completion and review of another recycling rubbish audit to see if rates of contamination have improved; and**
 - e. Investigate options for dealing with alternative waste services for large unit developments, for example Bethanie Retirement Village.**

CARRIED
8/0

12.14 Title: *New Policy – CP128 - Significant Accounting Policies*

<i>Reporting Department:</i>	<i>Corporate & Governance</i>
<i>Reporting Officer:</i>	<i>Mr Phil Anastasakis – Deputy Chief Executive Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>

Overview

This report presents a new Policy for consideration and adoption by Council – *CP128 Significant Accounting Policies*.

Background

Council has instigated a process of regularly reviewing all Council policies at least once every two years. While Council considered all policies at a Special meeting of Council held in July 2018, there have been a number of areas where the creation of a new Policy is warranted or has been recommended as part of an independent review.

As part of the production of the Annual Financial Statements (looking backward) and Annual Budget (looking forward), two statements appear in those reports which outline the “Basis of Preparation” and the “Significant Accounting Policies” impacting on the preparation of the financial statements.

The annual budget and annual financial statements comprise of general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (and related pronouncements) and the Local Government Act 1995 and accompanying Regulations.

The ***Basis of Preparation*** refers to the following:

- The general purpose financial statements being prepared on an accrual basis in accordance with the Australian Accounting Standards and the *Local Government Act 1995*;
- Critical Accounting Estimates;
- Local Government Reporting Entity;

The ***Significant Accounting Policies*** refers to the following:

- Grants, donations and other contributions;
- Interest earnings;
- Cash and cash equivalents;
- Trade and other receivables;
- Impairment and risk exposure;
- Previous accounting policy: Impairment of trade receivables;
- Classification and subsequent measurement;
- General inventories;
- Other current assets;
- Other financial assets at amortised cost;
- Financial assets at fair value through profit and loss;
- Impairment and risk;
- Previous accounting policy: available for sale financial assets;
- Previous accounting policy: Loans and receivables;

- Fixed assets
 - Initial recognition and measurement between mandatory revaluation dates;
 - Revaluation:
 - Australia Accounting Standards – Inconsistency: Land under control;
 - Australia Accounting Standards – Inconsistency: Land under roads;
- Depreciation
 - Depreciation rates
 - Asset classes
- Trade and other payables;
- Financial liabilities;
- Borrowing costs;
- Risk;
- Employee benefits
 - Short-term employee benefits;
 - Other long-term employee benefits;
 - Provisions
- Leases;
- Interests in joint arrangements;
- Investment in associates;
- Rates;
- Goods and services tax;
- Current and non-current classification;
- Rounding off figures;
- Comparative figures;
- Budget comparative figures;
- Superannuation;
- Fair value of assets and liabilities;
- Fair value hierarchy;
 - Level 1;
 - Level 2;
 - Level 3;
 - Valuation techniques;
 - Market approach;
 - Income approach;
 - Cost approach;

While these statements have been included in previous year's financial statements, they do vary from year to year based on changes to Australian or International Accounting Standards or the *Local Government Act 1995* or regulations.

This creation of a formal *Significant Accounting Policies* policy will enable Council to formally recognise and endorse the policies and principles that form the basis of financial accounting and financial reporting for the Shire of Dardanup.

Legal Implications

Local Government Act 1995

2.7. *Role of council*

- (1) *The council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

Local Government (Financial Management) Regulations 1996

17A. *Assets, valuation of for financial reports etc.*

- (1) *In this regulation —*
 - carrying amount***, *in relation to an asset, means the carrying amount of the asset determined in accordance with the AAS;*
 - fair value***, *in relation to an asset, means the fair value of the asset measured in accordance with the AAS.*
 - (2) *Subject to subregulation (3), the value of an asset shown in a local government's financial reports must be the fair value of the asset.*
 - (3) *A local government must show in each financial report —*
 - (a) *for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and*
 - (b) *for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government —*
 - (i) *that are plant and equipment; and*
 - (ii) *that are —*
 - (I) *land and buildings; or*
 - (II) *infrastructure;*

and

 - (c) *for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.*
- (4) *A local government must revalue an asset of the local government —*
 - (a) *whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount; and*
 - (b) *in any event, within a period of at least 3 years but no more than 5 years after the day on which the asset was last valued or revalued.*
- (5) *An asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5 000.*

Strategic Community Plan

Strategy 1.4.2- Maintain, review and ensure relevance of Council's policies and local laws. (Service Priority: Moderate)

Strategy 1.1.3- Maintain best practice governance systems and practices. (Service Priority: Moderate)

Environment - None.

Precedents

The policy manual is reviewed regularly to ensure compliance with laws and regulations, and to maintain best practice governance systems.

Budget Implications

There are no direct budget implications associated with this new policy.

Budget – Whole of Life Cost

As no new assets have been created, there are no whole of life or ongoing cost implications.

Council Policy Compliance

Current Council Policy CP074 – *Asset Management*.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.14) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk	
Risk Event	Significant Accounting Policy creation
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Financial Impact - Ad-hoc financial managements practices lead to non-compliance with Australian Accounting Standards and Local Government Act 1995 and Regulations • Legal and Compliance - Non-compliance with Financial legislation could lead to penalties being imposed on the Shire. • Reputational - Non-compliance will impact on the Shires business reputation

Officer Comment

This Policy has been developed utilising the industry best practice standards and the template developed through Moore Stephens accountants. Moore Stephens provide ongoing and annual training on changes to accounting standards and legislation that will impact on financial management and reporting by local governments, in addition to being a WALGA preferred supplier of financial services, training and advice.

The consideration of asset useful lives and depreciation rates have also been considered by the Asset Management Working Group, which the outcomes from that process reflected in the depreciation rates and classes included in the new Policy. These depreciation rates will be established to reflect the useful life of assets and estimated consumption patterns, and have a considerable impact on the financial statements and financial ratio calculations.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

348-19

MOVED -

Cr. T G Gardiner

SECONDED -

Cr. J Dow

THAT Council adopts new Council Policy ‘CP128 – Significant Accounting Policies’ as follows:



POLICY NO:-

CP128 – SIGNIFICANT ACCOUNTING POLICIESS**GOVERNANCE INFORMATION**

Procedure Link:	NA	Council Policy Link:	NA
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ADMINISTRATION INFORMATION

History:					
Version:	1	CP128	OCM 27/11/19	Res: 348-19	Synopsis: Council Policy Document endorsed

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. PURPOSE OR OBJECTIVE

The purpose of this policy is summarise the significant accounting policies that form part of the notes that accompany the Shire of Dardanup's statutory budgets and financial statements, describing the key policies being followed by financial and asset management services.

The Policy summary is mandated by the applicable accounting framework (such as AASB or LG Act). These frameworks require an entity to disclose it's most important or significant accounting policies, the appropriateness of those policies, and how they impact the reported financial position of the entity.

3. REFERENCE DOCUMENTS

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Generally Accepted Accounting Principles (GAAP) - is a framework of accounting standards, rules and procedures defined by the professional accounting industry.

International Financial Reporting Standards (IFRS) - are a set of international accounting standards stating how particular types of transactions and other events should be reported in financial statements.

Australian Accounting Standards Board (AASB) – Australian Accounting Standards

4. POLICY**4.1 Basis Of Preparation**

The financial report comprises general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board, and the Local Government Act 1995 and accompanying regulations.

The Local Government (Financial Management) Regulations 1996 take precedence over Australian Accounting Standards. Regulation 16 prohibits a Local Government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not

owned by but under the control or management of the Local Government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this financial report. This is not in accordance with the requirements of AASB 1051 Land Under Roads paragraph 15 and AASB 116 Property, Plant and Equipment paragraph 7.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

- **Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

- **The Local Government Reporting Entity**

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the Local Government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 30 to these financial statements.

4.2 SIGNIFICANT ACCOUNTING POLICIES

(a) Grants, donations and other contributions

Grants, donations and other contributions are recognised as revenues when the Local Government obtains control over the assets comprising the contributions.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in the Notes. That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the Local Government's operations for the current reporting period.

(b) Interest earnings

Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset except for financial assets that subsequently become credit-impaired. For credit-impaired financial assets the effective interest rate is applied to the net carrying amount of the financial asset (after deduction of the loss allowance). Interest income is presented as finance income where it is earned from financial assets that are held for cash management purposes.

(c) Cash and cash equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(d) Trade and other receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

(e) Impairment and risk exposure

Information about the impairment of trade receivables and their exposure to credit risk and interest rate risk can be found in the Notes.

(f) Previous accounting policy: Impairment of trade receivables

In the prior year, the impairment of trade receivables was assessed based on the incurred loss model. Individual receivables which were known to be uncollectible were written off by reducing the carrying amount directly. The other receivables were assessed collectively to determine whether there was objective evidence that an impairment had been incurred but not yet identified. For these receivables the estimated impairment losses were recognised in a separate provision for impairment.

(g) Classification and subsequent measurement

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Trade receivables are held with the objective to collect the contractual cashflows and therefore measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

(h) General - Inventories

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

(i) Other current assets

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

(j) Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- The asset is held within a business model whose objective is to collect the contractual cashflows, and
- The contractual terms give rise to cash flows that are solely payments of principal and interest.

(k) Financial assets at fair value through profit and loss

The Shire classifies the following financial assets at fair value through profit and loss:

- Debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- Equity investments which the Shire has not elected to recognise fair value gains and losses through other comprehensive income.

(l) Impairment and risk

Information regarding impairment and exposure to risk can be found in the Notes.

(m) Previous accounting policy: available for sale financial assets

Available-for-sale financial assets were non-derivative financial assets that were either not suitable to be classified as other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

(n) Previous accounting policy: Loans and receivables

Non-derivative financial assets with fixed or determinable payments that were not quoted in an active market and are solely payments of principal and interest were classified as loans and receivables and are subsequently measured at amortised cost, using the effective interest rate method.

Refer to the Notes for explanations regarding the change in accounting policy and reclassification of available for sale financial assets to financial assets at fair value through profit and loss.

(o) Fixed assets

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

(p) Initial recognition and measurement between mandatory revaluation dates

All assets are initially recognised at cost where the fair value of the asset at date of acquisition is equal to or above \$5,000. All assets are subsequently revalued in accordance with the mandatory measurement framework.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are

subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework.

(q) Revaluation

The fair value of fixed assets is determined at least every three years and no more than five years in accordance with the regulatory framework. At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is considered to be in accordance with Local Government (Financial Management) Regulation 17A (2) which requires property, plant and equipment to be shown at fair value.

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

(r) Australian Accounting Standards – Inconsistency - Land under control

In accordance with Local Government (Financial Management) Regulation 16(a)(ii), the Shire was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or Regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

(s) Land under roads

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Shire.

(t) Depreciation

The depreciable amount of all fixed assets including buildings but excluding freehold land and vested land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

(u) Depreciation rates

Typical estimated useful lives for the different asset classes for the current and prior years are included in the table below:

<u>Asset Class</u>	<u>Useful Life</u>
Buildings:	
- Sub-structure	50 to 100 years
- Super-structure	8-100 years
- Roof	25-100 years
- Finishing & Fittings	8 to 75 years
- Services (mechanical, hydraulic, electrical, fire)	10 to 75 years
- Site surround works	10 to 75 years
Land:	Not depreciated
Furniture and Equipment:	4 to 10 years
Plant and Equipment:	5 to 10 years
Motor Vehicles:	4 to 5 years
Works in Progress	Not depreciated
Infrastructure Assets:	
<u>Sealed Roads and Streets</u>	
- Roads – Formation	Not depreciated
- Roads – Pavement	30 to 80 years
- Roads – Seal: Bitumen	20 years
- Roads – Seal: Asphalt	40 years
- Roads – Seal: Brick Paving	40 years
- Roads – Kerbing	60 years
- Roads – Drainage	40 years
<u>Gravel Roads</u>	
- Roads – Formation	Not depreciated
- Roads – Pavement	10 to 20 years

Parks and Reserves

- Playgrounds	15 years
- Furniture	15 years
- Turf	20 years
- Gardens	15 years
- Irrigation	12 to 40 years
- Sporting equipment	15 to 25 years
- Rubbish bin enclosures	15 years
- Marine structures	20 years

Bridges

- Timber	60 years
- Other	100 years

Pathways

- Concrete	50 years
- Limestone	15 years
- Paving	25 years
- Asphalt	20 years
- Timber	30 years

Stormwater Drainage 50 to 75 years

When an item of property, plant and equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

- (a) The gross carrying amount is adjusted in a manner that is consistent with the revaluation of the carrying amount of the asset. For example, the gross carrying amount may be restated by reference to observable market data or it may be restated proportionately to the change in the carrying amount. The accumulated depreciation at the date of the revaluation is adjusted to equal the difference between the gross carrying amount and the carrying amount of the asset after taking into account accumulated impairment losses; or
- (b) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

(v) Trade and other payables

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(w) Financial liabilities

Financial liabilities are recognised at fair value when the Shire becomes a party to the contractual provisions to the instrument.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(x) Borrowing costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

(y) Risk

Information regarding exposure to risk can be found in the Notes.

(z) Employee benefits**• Short-term employee benefits**

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave.

Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

• Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any re-measurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

- **Provisions**

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(aa) Leases

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the Shire, are classified as finance leases.

Finance leases are capitalised recording an asset and a liability at the lower of the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Leased assets are depreciated on a straight line basis over the shorter of their estimated useful lives or the lease term.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses on a straight line basis over the lease term.

Lease incentives under operating leases are recognised as a liability and amortised on a straight line basis over the life of the lease term.

(ab) Interests in joint arrangements

Joint arrangements represent the contractual sharing of control between parties in a business venture where unanimous decisions about relevant activities are required.

Separate joint arrangements providing joint ventures with an interest to net assets are classified as a joint venture and accounted for using the equity method. The equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the Shire's share of net assets of the associate. In addition, the Shire's share of the profit or loss of the associate is included in the Shire's profit or loss.

Joint operations represent arrangements whereby joint operators maintain direct interests in each asset and exposure to each liability of the arrangement. The Shire's interests in the assets, liabilities, revenue and expenses of joint operations are included in the respective line items of the financial statements.

(ac) Investment in associates

An associate is an entity over which the Shire has significant influence. Significant influence is the power to participate in the financial operating policy decisions of that entity but is not control or joint control of those policies. Investments in associates are accounted for in the financial statements by applying the equity method of accounting, whereby the investment is initially recognised at cost and adjusted thereafter for the post-acquisition change in the Shire's share of net assets of the associate. In addition, the Shire's share of the profit or loss of the associate is included in the Shire's profit or loss.

The carrying amount of the investment includes, where applicable, goodwill relating to the associate. Any discount on acquisition, whereby the Shire's share of the net fair value of the associate exceeds the cost of investment, is recognised in profit or loss in the period in which the investment is acquired.

Profits and losses resulting from transactions between the Shire and the associate are eliminated to the extent of the Shire's interest in the associate. When the Shire's share of losses in an associate equals or exceeds its interest in the associate, the Shire discontinues recognising its share of further losses unless it has incurred legal or constructive obligations or made payments on behalf of the associate. When the associate subsequently makes profits, the Shire will resume recognising its share of those profits once its share of the profits equals the share of the losses not recognised.

(ad) Rates

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(ae) Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(af) Current and non-current classification

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire's intentions to release for sale.

(ag) Rounding off figures

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar. Amounts are presented in Australian Dollars.

(ah) Comparative figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statements that has a material effect on the statement of financial position, an additional (third) statement of financial position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

(ai) Budget comparative figures

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

(aj) Superannuation

The Shire contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

(ak) Fair value of assets and liabilities

Fair value is the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

(al) Fair value hierarchy

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

- Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

- Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

- Level 3

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

• Valuation techniques

The Shire selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

• Market approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

- **Income approach**

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

- **Cost approach**

Valuation techniques that reflect the current replacement cost of the service capacity of an asset.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

(am) Impairment of assets

In accordance with Australian Accounting Standards the Shire's cash generating non-specialised assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

For non-cash generating specialised assets that are measured under the revaluation model such as roads, drains, public buildings and the like, no annual assessment of impairment is required. Rather AASB 116.31 applies and revaluations need only be made with sufficient regulatory to ensure the carrying value does not differ materially from that which would be determined using fair value at the ends of the reporting period.

CARRIED
8/0

12.15 Title: South West Development Commission – Nomination of Board Member

Reporting Department: Corporate & Governance Directorate
Reporting Officer: Mrs Alison Evans – Personal Assistant
Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. M T Bennett declared a Financial Interest in this item as the position receives a sitting fee, so if successful in nomination this would be a Financial Interest.

Cr. M T Bennett left the room. [6.40pm]

Note: Cr. P S Robinson assumed the role of Chairperson [6.40pm].

Overview

The South West Development Commission (SWDC) have called for a nomination from Local Government Elected Members for membership of the Board of the SWDC. Cr. M T Bennett wishes to nominate for this vacancy.

Background

Cr. M T Bennett has previously been a Member of the SWDC Board in 2000 during a previous term as an Elected Member with the Shire of Dardanup.

Legal Implications

Appointment of elected members and staff to represent the Council on external working parties and committees requires a resolution of Council.

Strategic Community Plan

Strategy 1.5.2 - Foster strategic alliance with major industry groups and government agencies. (Service Priority: High)

Environment - None.

Precedents

Council has nominated elected members to participate in government boards and committees on a number of occasions. Cr. M T Bennett has previously served as a Member of the SWDC Board in 2000.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.15) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	South West Development Commission – Nomination of Board Member
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal and Compliance - Inability to adhere to the eligibility criteria which specifies that should Cr Bennett no longer be a serving Elected Member he will resign from the SWDC board as a Local Government representative.

Officer Comment

A vacancy exists for a local government representative on the South West Development Commission’s Board of Management. The SWDC is seeking nominations from South West local governments to provide up to two nominations from elected members to fill the vacancy.

The Commission’s role is to co-ordinate and promote economic development in the South West region. Its aims include maximising job creation, broadening local economies, identifying the need for infrastructure services, providing information and advice to business and ensuring access to government services.

The 6 member board, which meets every two months, sets policy, provides strategic guidance and makes decisions about a broad range of economic development projects and initiatives involving the Commission.

People nominated as prospective members should possess interest and knowledge relevant to regional communities. Relevant fields of involvement could include business and industry; employment, education and training; tourism and recreation.

Applicants will be assessed on their ability to make a significant contribution to a board of management, together with a demonstrated involvement in either the economic or social development of the region. The terms of appointment are for one, two or three years. It is also important to note Board Members are required to represent the interests of the South West and not a particular locality.

Nominations close on Friday 6 December 2019 and are to be forwarded to the Hon Alannah MacTiernan MLC, Minister for Regional Development, C/- South West Development Commission, PO Box 2000, Bunbury 6231.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council approve the nomination of Cr. M T Bennett to be a Member of the South West Development Commission Board.

Discussion:

Cr. T G Gardiner requested the words 'and support' be added to the recommendation to show that the nominee has the full support of the Council in addition to the approval of their nomination.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

- Addition of the words "and support" to the resolution.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

349-19

MOVED -

Cr. P S Robinson

SECONDED -

Cr. J Dow

THAT Council approve and support the nomination of Cr. M T Bennett to be a Member of the South West Development Commission Board.

CARRIED
8/0

Note: Cr. M T Bennett returned to the room [6.42pm] and resumed the Chair.

12.16 Title:ITEM WITHDRAWN - Tender for Replacement of Cardio and Strength Fitness Equipment

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr John Kowal – Manager Recreation Services
Mr Phil Anastasakis - Deputy Chief Executive Officer
Legislation: Local Government Act 1995

Discussion:

Shire President, Cr. M T Bennett advised that this item had been withdrawn and would be returned to council with further information.

Overview -

This report provides Council with the results of the evaluation of tenders for the supply, installation, testing, commissioning and maintenance of the cardio equipment and the strength equipment (pin-loaded, plate loaded machines and free weights) located at the Eaton Recreation Centre (ERC), and makes an Officer Recommendation for the award of a contract for these services for the lease term of 5 years based on the recommendation from the Tender Assessment Panel.

Background

Tenders have been called in line with Council's 2019/20 budget for the supply, installation, testing, commissioning and maintenance of the cardio equipment and the strength equipment (pin-loaded, plate loaded machines and free weights) (the equipment). Council's allocated budget for the replacement of the equipment is \$386,419 which is in accordance with the adopted Eaton Recreation Centre 10 year Asset Management Plan.

The cardio fitness equipment at the ERC was previously purchased in 2014 [Res 271/14] and therefore the cardio equipment is due for replacement. The strength equipment is over 15 years old and therefore is well past it's used by date, is antiquated and is based on old technology. The gym equipment is scheduled for replacement in 2019/20 within the Eaton Recreation Centre Equipment Asset Management Plan.

The tender also included the requirement for the purchase (trade-in) of the old cardio and strength equipment together with servicing and maintenance of the new cardio and strength equipment for a period of 60 months.

Legal Implications

The Tender has been conducted in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996.

Part 4 — Provision of goods and services

Division 2 — Tenders for providing goods or services (s. 3.57)

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

Local Government Act 1995

Local Government (Financial Management) 1996

The Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

• Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

R12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
- (b) otherwise, if the payment is authorised in advance by a resolution of the Council.
- (2) The Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the Council.

Strategic Community Plan

Strategy 5.2.1- To encourage physical activity by providing services and recreational facilities that encourage our community towards an active and healthy lifestyle. (Service Priority: Very High)

Strategy 1.1.2- Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Strategy 1.3.2 - Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations. (Service Priority: High)

Environment - None.

Precedents

Council's last tender for the replacement of some of the cardio equipment was in 2014 where Council determined to accept a four year lease arrangement for the replacement of the gym equipment.

Budget Implications

The Council's 2019/20 budget allocated \$386,419 for the replacement of the gym equipment – based on purchasing the gym equipment in a single lump-sum asset payment. Funding for this purchase was from a dedicated cash reserve.

The tenderers were asked to provide both a tender price for the outright purchase of the equipment (where Council owns the equipment) and a tender price for the lease of the equipment over a 5 year period (where the tenderer retains ownership of the equipment).

The gym equipment procurement includes all repairs, maintenance and servicing of the equipment for the 5 year period.

There are certain benefits that can be achieved through the procurement of the gym equipment via a lease arrangement, compared to an outright lump-sum asset purchase.

Leasing pros and cons include:

- The procurement cost can be spread evenly over the term of the lease to reflect the period of use, matching better the expenditure with usage;
- Lease costs are an expense and for businesses that are taxed, can form part of the overall claimable tax deductions. From 1 July 2019 the Australian Accounting Standards have changed generally requiring leases to be capitalised, recording an asset and liability for future payments;
- The lower annual lease cost compared to a one-off larger lump enables easier financing and better use of cash;
- Leased assets do not need to be depreciated, replaced or disposed of, as the replacement forms part of the lease arrangement, resulting in less staff administration time;
- The replacement of leased equipment every 5 years enables the quality, features and standard to be modern and up to date;
- Interest rates are very low at this time making leasing a very affordable procurement option; and
- Leasing expenditure can impact on the operating surplus and some financial ratios.

Lump-sum purchase pros and cons include:

- A single lump-sum payment requires less administration time due to reduced transaction numbers;
- Ownership of assets requires insurance registers to be maintained and insurance premiums to be paid;
- Ownership of assets requires asset registers to be maintained;
- Assets require 3-5 year valuations to be obtained at a cost to Council;
- Depreciation should reflect the consumption of the asset, but requires administration time;
- Capital expenditure can impact on the cash flow and some financial ratios; and
- The opportunity cost of spending funds on capital items rather than utilising the funds for other purchases is a cost to Council;

Based on an evaluation of the pros and cons of leasing compared to outright asset purchase, it is recommended that all of the gym equipment be procured through an annual operating lease over a 5 year period rather than an outright purchase for all or a portion of the equipment.

Budget – Whole of Life Cost

If the procurement of the equipment is based on a five (5) year lease, then Council will have the option to determine whether it returns the equipment with no further obligations, enters into another lease arrangement, purchases outright or renews/upgrades with new equipment.

If the procurement of the equipment is undertaken as a single lump-sum asset purchase, then the item will need to be included in the ERC Equipment Asset Management Plan, allowing for the life of the asset, replacement of the assets, and the financing of the Asset Management Plan through the cash reserve.

To allow for an evaluation of the whole of life costs of leasing or purchasing cardio and strength equipment, a financial analysis and comparison of costs over a 16 year period was undertaken. Four scenarios were evaluated based on the following:

- Option 1 – 100% Lease over 5 years (estimated annual lease cost of \$86,842.28 – the exact sum to be provided at the Council meeting due to updated requested pricing)
- Option 2 – Lease of cardio equipment over 5 years and purchase of strength equipment
- Option 3 – 100% Purchase of cardio and strength equipment in accordance with the current Asset Management Plan replacement cycles
- Option 4 - 100% Purchase of cardio and strength equipment based on updated Asset Management Plan replacement cycles.

Based on this comparison, Option 1 (100% leasing) demonstrated best value for money taking into consideration the savings achieved through less administrative time associated with the acquisition and sale of equipment items, and the opportunity cost saving through the availability of Council funds for other purposes other than allocating to the Recreation Centre Equipment Reserve for the purchase of assets. These detailed comparisons will be made available to Councillors under confidential separate cover.

Council Policy Compliance

Council's CP34 – Procurement outlines the requirements associated with the Council purchasing.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.16) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Request for Tender - Tender for replacement of cardio and strength fitness equipment at the Eaton Recreation Centre.
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Terms and conditions of supply agreement will require any copies of financial statements and declaration of financial ability to pay debts.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> • Financial – moderate risk that the supplier could suffer financial insolvency preventing the supply of the equipment. • Service Interruption – moderate risk that the service could be interrupted due to delays in supply. • Legal & Compliance – low risk of legal action being taken to remedy non-supply. • Reputational – moderate risk of delays causing complaints.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
	<ul style="list-style-type: none"> Environment - There is a risk that the new gym equipment will be packaged in cardboard, plastics that may be disposed of by being sent to landfill and not recycled.

Officer Comment

Tenders closing on 18 October 2019 called for the supply, installation, testing, commissioning and maintenance of the cardio equipment and the strength equipment (pin-loaded, plate loaded machines and free weights) at the Eaton Recreation Centre. The Request for Tender (RFT) was publically advertised as per the below:

- South Western Times – Thursday 12 September 2019
- West Australian – Saturday 14 September 2019
- Community News – Tuesday 17 & Wednesday 18 September 2019

The detailed schedule of prices submitted is provided to Councillors under confidential separate cover.

A total of six (6) tender submissions were received from the following businesses:

- (i) Fleet Commercial Gymnasiums Pty Ltd;
- (ii) Orbit Commercial Dept;
- (iii) Gymcare;
- (iv) Novofit;
- (v) Technogym Australia Pty Ltd; and
- (vi) Gym Imports Direct Pty Ltd.

All tenders as submitted by the abovementioned businesses were evaluated and two (2) tender submissions fully complied with the tender requirements and have therefore been considered.

- *Tender Evaluation Panel*

The Tender Evaluation Panel comprised of five (5) Shire staff members, being the Procurement Officer (Tender Panel Chairperson), Deputy Chief Executive Officer, Manager Recreation Services, Coordinator Eaton Recreation Centre and the Team Leader Fitness Centre.

All members of the evaluation panel have made a conflict of interest declaration confirming they have no relationships with any of the tenderers.

- *Evaluation of Tenders*

The object of the evaluation panel is to recommend a suitably qualified and experienced contractor to satisfy the requirement of the above mentioned RFT. All responses to the qualitative criteria were assessed by the panel, as well as the rates tendered.

Prices were requested on a "per piece of equipment" basis structured on an ideal equipment range, which also included a 60 month wear and tear maintenance and service contract period.

Six (6) suppliers provided equipment options, these submissions were received and assessed. Following assessment it was identified that 4 of the submissions did not fully comply with Tender Requirements and were therefore deemed non-compliant and did not form part of the final assessment.

Of the remaining 2 tenders, they were assessed and scored in accordance with the following criteria and weightings, and a total score was determined to compare the tenders:

ASSESSMENT CRITERIA		RAW SCORE	WEIGHTING	WEIGHTED SCORE
Tendered Price		0 - 10	35%	3.5
Qualitative Criteria	Equipment Functionality	0 - 10	35%	3.5
	Equipment Life	0 - 10	15%	1.5
	Experience	0 - 10	15%	1.5
TOTAL SCORE			100%	10.0

i.e. Weighted Score = Raw Score x Weighting

Prices as tendered were scored on a percentage scale from lowest to highest, with the highest score percentage given to the lowest price. Qualitative aspects were scored on the relative merits of the information provided by the tenderer in its tender.

- *Evaluation Justification*

The evaluation process determined the recommended tenderer clearly represented the best value for money considering responses to qualitative criteria and within the tendered rates submitted.

Each tenderer was scored and the results were as follows:

ASSESSMENT CRITERIA		Gymcare	Fleet Commercial Gymnasium Pty Ltd
Tendered Price		0.7	1.05
Qualitative Criteria	Equipment Functionality	3.15	2.8
	Equipment Life	1.35	1.05
	Experience	1.35	1.20
TOTAL SCORE		6.55	6.10

Based on the tender submissions received, Gymcare was deemed as the most advantageous to Council and is the preferred supplier, however their tender price for the entire range of equipment exceeded the allocated budget.

Staff have prepared a revised equipment list (as permissible within the tender specification), giving further analysis and consideration of equipment requirements, the prices tendered for each piece of equipment, and Council's allocated budget of \$386,000.

This revised equipment list will be the basis for the accepted tender, with the additional option of a 5 year lease.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation

No Change. **OR:**

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

OFFICER RECOMMENDED RESOLUTION
THAT Council:

1. Accepts the most advantageous tender for the provision of gym equipment at the Eaton Recreation Centre, being that submitted by Gymcare in accordance with Tender RFT F015287, up to a total gym equipment value of \$386,419.00, with payment for the equipment being through a 5 year leasing arrangement;
2. Accepts that, should a Contract not be formed within Gymcare then the next most advantageous Tenderer, being Fleet Commercial Gymnasium Pty Ltd is accepted and a Contract is to be formed, under the terms and conditions noted in Part 1 above, in accordance with Regulation 20(2) of the Local Government (Functions and General) Regulations 1996; and
3. In the event of a leasing arrangement being established in accordance with (1) above, approve as unbudgeted expenditure the annual lease payment for a 5 year term.

ITEM WITHDRAWN

12.17 Title: LGIS Performance Surplus

<i>Reporting Department:</i>	<i>Corporate & Governance</i>
<i>Reporting Officer:</i>	<i>Mr Phil Anastasakis – Deputy Chief Executive Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>

Overview

This report advises Council of a surplus to be received by the Shire of Dardanup from LGIS, and recommends an allocation of those funds.

Background

Local Government Insurance Services (LGIS) has been providing insurance services to Council for many years. LGIS was established in the early 1990's in response to widespread dissatisfaction amongst local governments across WA with the traditional insurance market. At this time local governments had difficulties in obtaining continuing cover in key insurance classes and where cover was available, local governments were being penalised with large, unmanageable and unbudgeted increases in the cost of cover.

The WA Local Government Sector established its own, sustainable solution for local governments in the format of an industry based self-insurance Scheme, entirely owned and controlled by its participating WA Local Government members.

The Scheme incorporates protection for property, civil liability exposures, volunteer fire fighters and workers compensation and is a superior alternative to what is made available by the traditional insurance market. In addition to the LGIS Scheme coverage, local governments also have access through LGIS insurance broking to a range of Non-Scheme insurance products.

The financial operations of the scheme are reviewed annually to determine if there is any surplus funds, and whether they can be distributed to member Council's as a cash surplus, or via a scheme Health and Well-being account.

LGIS have advised that the 2018/19 performance has been very good and plan to distribute a surplus amongst all member Council's – refer to attached LGIS Brochure (Appendix ORD: 12.17A). The surplus to be returned to the Shire of Dardanup is \$33,620.

Legal Implications

Local Government Act 1995

2.7. *Role of council*

(1) *The council —*

- (a) *governs the local government's affairs; and*
- (b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to —*

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies.*

Strategic Community Plan

Strategy 1.3.6- Establish a Risk Management Governance Framework for the Shire of Dardanup. (Service Priority: High).

Strategy 1.2.3 - Provide professional development and training for staff. (Service Priority: Moderate)

Environment - None.

Precedents

In previous year's Council has occasionally received a surplus from LGIS, based on the schemes overall performance in the preceding financial year.

Budget Implications

Council has not budgeted to receive a surplus from LGIS. Any funds received can be utilised to offset increased expenditure or to improve the end of year financial position.

Budget – Whole of Life Cost

As no new assets have been created, there are no whole of life or ongoing cost implications.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.17B) for full assessment document.

Tier 2 – Low or Moderate Inherent Risk has been identified.	
Risk Event	LGIS Performance Surplus
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial Impact - Dividend has not been provided for in the budget

Officer Comment

Council has recently incurred additional insurance expenditure of \$15,237.01 due to an update of Council's insured assets and their insurable values. Of significance is the addition of the new Treendale bridge, changes in other bridges valuations, and vehicle changes. These additional costs were not budgeted for – it is recommended that a portion of the surplus (\$15,000) be utilised to offset this expenditure increase.

Changes in recent years in human resources and OHS legislation and case law has increased the responsibility and obligations on staff and managers to provide a safe work place free from harassment, bullying, hazards, stress, discrimination, etc. Due to the increasing and complex issues around how to appropriately manage staff in this environment, it is proposed to conduct in-house training using the

services of an external consultant. It is recommended that a portion of the surplus (\$10,000) be utilised to offset this expenditure increase.

It is recommended that the remaining funds be returned to Council's general revenue, which will be reflected in the mid-year budget review.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council receive the information from LGIS regarding the LGIS Member Scheme surplus and approve the distribution of the Shire of Dardanup surplus on the following basis:

1. \$15,000 towards increased insurance premium cost for assets including the Treendale Bridge;
2. \$10,000 towards additional staff training on managing workplace behaviours; and
3. The balance of funds returned to general revenue to be considered at the mid-year budget review.

Discussion:

Cr. P S Robinson tabled an alternative motion with the suggested changes being to provide some financial support by way of reducing the impact of insurance costs for some of our community groups.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

- To provide financial support to community groups.

COUNCIL RESOLUTION

350-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council receive the information from LGIS regarding the LGIS Member Scheme surplus and approve the distribution of the Shire of Dardanup surplus on the following basis:

- 1. \$15,000 towards increased insurance premium cost for assets including the Treendale Bridge;**
- 2. \$14,087.37 towards a 50% reduction in the insurance cost for the following groups :-**

Lions Club of Millbridge and Eaton	\$238.20
Wells Recreation Park Clubrooms	\$1,057.61
Diggers Club	\$519.34
Ferguson Community Hall Committee	\$670.77
Bunbury Repertory Club	\$1,027.48
South West Montessori	\$508.80
Bunbury & Districts Softball Association	\$2,204.50
Eaton Boomers	\$4,585.50
Eaton Bowling Club	\$2,436.28
Eaton Junior Football Club and Junior Cricket	\$838.89

3. The balance of funds returned to general revenue to be considered at the mid-year budget review.

CARRIED
8/0

12.18 Title: Bushfire Mitigation Activity Funding

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>

Overview

The Shire has been successful in its application for Mitigation Activity Funding of \$209,615.00 to treat identified areas at risk of bushfire to Shire reserves throughout the 2019-2020 financial year. Officers present this offer to Council for consideration.

Background

The Bushfire Mitigation Activity Fund (MAF) has been established to proactively treat extreme, very high and high bushfire risks in combination with the progressive rollout of the Bushfire Risk Management (BRM) Planning framework.

Through the MAF 2019-2020 application to Department of Fire and Emergency Services (DFES), the Shire requested \$209,615.00 worth of funding. It was proposed the funding would be used on **43** treatments to reduce the identified areas at risk of bushfire to over 50ha of Shire reserves throughout the 2019-2020 financial year. These areas were identified in the Shires Bushfire Risk Management Plan (BRMP) as endorsed by Council - Ordinary Council Meeting, 6 November 2019, [322-19].

Notification has been received from DFES that the Shires application was successful. Upon the issuing of an invoice, the Shire will receive the first 50% instalment, with the balance paid against the final acquittal submission (no later than 15 June 2020).

Legal Implications

The Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) —*
additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Local Government Act 1995 -**S6.10. Financial Management Regulations**

Regulations may provide for —

- (a) *the security and banking of money received by a local government; and*
- (b) *the keeping of financial records by a local government; and*
- (c) *the management by a local government of its assets, liabilities and revenue; and*
- (d) *the general management of, and the authorisation of payments out of —*
 - (i) *the municipal fund; and*
 - (ii) *the trust fund,**of a local government.*

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

R12. Payments from municipal fund or trust fund, restrictions on making

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the Council.*
- (2) *The Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the Council.*

Strategic Community Plan

Strategy 1.3.3 - Maximise Shire grant funding. (Service Priority: Flagship).

Strategy 3.4.1 - To enable community safety and a sense of security. (Service Priority: Very High).

Strategy 3.4.2 - Maintain appropriate emergency services and planning. (Service Priority: Very High).

Strategy 3.5.1 - To protect public health and safety. (Service Priority: High).

Environment - None.

Precedents - None.

The Shire currently receives funding through the Local Government Grants Scheme (LGGS) to support the Shire of Dardanup Volunteer Bushfire Brigades. Similarly, funding is not received upfront and requires the Shire to allocate a general ledger to track expenditure, as well as cover costs until payment is received quarterly and the balance upon acquittal submission at the end of the financial year.

Budget Implications

Currently, the MAF revenue and expenditure is not recognised in the 2019-2020 Annual Budget. The Shire will receive the first 50% instalment, with the balance paid against the final acquittal submission. The Shire will be required to allocate a general ledger to track expenditure, as well as cover costs until the balance is paid upon the above mentioned submission at the end of the financial year.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.18A and Appendix ORD: 12.18B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial Impact - Failure to comply with the conditions of the Mitigation Activity Fund Grant Agreement will cause payment of grant funding to be declined resulting in financial losses.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal and Compliance - Failure to comply with the conditions of the Mitigation Activity Fund Grant Agreement will cause the termination of the agreement for default.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Accept Mitigation Activity Fund (MAF) Grant Funding to reduce areas of high bushfire risk throughout the Shire.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Health - Failing to accept Mitigation Activity Fund (MAF) Grant Funding will leave areas of high bushfire risk throughout the Shire and cause death and/or permanent disability during an emergency.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Accept Mitigation Activity Fund (MAF) Grant Funding to reduce areas of high bushfire risk throughout the Shire.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial Impact - Failing to accept Mitigation Activity Fund (MAF) Grant Funding will leave areas of high bushfire risk throughout the Shire and impact buildings and agriculture resulting in financial losses during an emergency.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Accept Mitigation Activity Fund (MAF) Grant Funding to reduce areas of high bushfire risk throughout the Shire.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Failing to accept Mitigation Activity Fund (MAF) Grant Funding will leave areas of high bushfire risk throughout the Shire and will impact the Shires and emergency services capacity to respond to a bushfire emergency.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Accept Mitigation Activity Fund (MAF) Grant Funding to reduce areas of high bushfire risk throughout the Shire.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Legal and Compliance - Failing to accept Mitigation Activity Fund (MAF) Grant Funding will leave areas of high bushfire risk throughout the Shire and will cause loss and damage during an emergency resulting in prosecution.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Accept Mitigation Activity Fund (MAF) Grant Funding to reduce areas of high bushfire risk throughout the Shire.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Reputational - Failing to accept Mitigation Activity Fund (MAF) Grant Funding will leave areas of high bushfire risk throughout the Shire and will cause public news items in the media for failure of the Shire to be able to respond to a bushfire emergency.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Bushfire Mitigation Activity Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Accept Mitigation Activity Fund (MAF) Grant Funding to reduce areas of high bushfire risk throughout the Shire.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Environmental - Failing to accept Mitigation Activity Fund (MAF) Grant Funding will leave areas of high bushfire risk throughout the Shire will cause significant damage to local flora and fauna during an emergency.

Officer Comment

By taking advantage of the MAF and accepting the successful allocation of \$209,615.00, the Shire will be able to complete the 43 proposed treatment options to areas identified in the Shires Bushfire Risk Management Plan (BRMP) and reduce the risk to life and property posed by bushfire hazards.

Officers recommend that the Shire accept the MAF grant funding and allocate a general ledger to track expenditure, as well as cover costs until the balance is paid upon the final acquittal submission at the end of the financial year.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

351-19 MOVED - Cr. T G Gardiner SECONDED - Cr. M Hutchinson

THAT Council:

1. **Acknowledges and accepts the successful application of the 2019-2020 Mitigation Activity Funding of \$209,615.00 from the Department of Fire and Emergency Services for the Shire to reduce its bushfire risk.**
2. **Approves unbudgeted expenditure to the amount of \$209,615.00 in the 2019-2020 Annual Budget to complete the 43 proposed treatment options to areas identified in the Shire's Bushfire Risk Management Plan.**
3. **Recognises \$104,807.50 will be received in 2019-2020 financial year and the balance to be received in 2020-2021.**

CARRIED

8/0

By Absolute Majority

12.19 Title: Monthly Statement of Financial Activity for the Period Ended 31 October 2019

Reporting Department: Corporate & Governance Directorate
 Reporting Officer: Mr Ray Pryce - Accountant
 Legislation: Local Government Act 1995

Overview

This report presents the monthly Financial Statements for the period ended 31 October 2019 for Council adoption.

Background

The Monthly Statement of Financial Activity is prepared in accordance with the Local Government (Financial Management) Regulations 1996 r. 34 s. 6.4. The purpose of the report is to provide Council and the community with a reporting statement of revenues and expenses as set out in the Annual Budget, which were incurred by the Shire of Dardanup during the reporting period.

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. *Financial Report*

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to —*
 - (a) *be prepared and presented in the manner and form prescribed; and*
 - (b) *contain the prescribed information.*

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

34. *Financial activity statement required each month (Act s. 6.4)*

(1A) *In this regulation —*

committed assets *means revenue unspent but set aside under the annual budget for a specific purpose.*

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*

- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]

Strategic Community Plan

Strategy 1.3.2 - Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations. (Service Priority: High)

Environment - None.

Precedents

Each month Council receives the Monthly Financial Statements in accordance with Council Policy and Local Government (Financial Management) Regulations.

Budget Implications

The financial activity statement comprises of budget estimates, actual expenditure, and revenue to the end of the month to which the statement relates. Material variances and explanations of these are included in the notes that form part of the report.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.19A) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Monthly Statement of Financial Activity for the Period Ended 31 October 2019
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Legal Compliance - Non-compliance with the legislative requirements that results in a qualified audit • Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively. • Financial Impact - Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position

Officer Comment

The Monthly Financial Report for the period ended 31 October 2019 is attached after the Officer Comment section of this report and consists of:

- Statement of Financial Activity by Program – including Net Current Assets (liquidity)
- Statement of Comprehensive Income by Nature and Type
- Notes to the Statement of Financial Activity:
 - * Note 1 Statement of Objectives
 - * Note 2 Explanation of Material Variances
 - * Note 3 Trust Funds
 - * Note 4 Reserve Funds
 - * Note 5 Statement of Investments
 - * Note 6 Accounts Receivable (Rates and Sundry Debtors)
 - * Note 7 Salaries and Wages
 - * Note 8 Rating Information
 - * Note 9 Borrowings
 - * Note 10 Budget Amendments

The Statement of Financial Activity shows operating revenue and expenditure by statutory program and also by nature and type, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget, the annual revised budget and the year-to-date revised budget. The previous year annual results are also included for information.

Actual values for the year to date are compared to the year to date revised budget to present a percentage variance as well as the variance amount in Note 2 – Explanation of Material Variances. The minimum level adopted by Council to be used in the Statement of Financial Activity in 2019/20 for reporting material variances is 10% or \$50,000, whichever is greater.

Note 5 – Statement of Investments reports the current Council cash investments and measures the portfolio against established credit risk limits based on reputable credit ratings agencies and incorporated in the Council’s Investment Policy.

The end of year surplus brought forward from 2018/19 is \$404,751, with an anticipated surplus at 30 June 2020 of \$279,144.

12.20 Title: Schedule of Paid Accounts as at 15 November 2019

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mrs Renee Thompson - Accounts Payable Officer
Legislation:	Local Government (Financial Management) Regulations 1996

Overview

Council is presented the list of payments made from the Municipal, Trust and Reserve Accounts under delegation since the last Ordinary Council Meeting.

Background

Council delegates authority to the Chief Executive Officer annually:

- To make payments from Trust, Reserve and Municipal Fund;
- To purchase goods and services to a value of not more than \$200,000;
- To purchase goods and services for the Tax Office and other Government Agencies up to the value of \$300,000;
- To purchase goods and services for Creditors where an executed agreement or legal obligation exists which has prior Council endorsement.

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

R12. Payments from municipal fund or trust fund, restrictions on making

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

S13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires council authorisation in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*

- and*
- (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) *recorded in the minutes of that meeting.*

Strategic Community Plan

Strategy 1.3.2 - Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations. (Service Priority: High)

Environment - None.

Precedents

Council endorses the Schedule of Paid Accounts at each Ordinary Council Meeting.

Budget Implications

All payments are made in accordance with the adopted annual budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council's Purchasing Policy CP034 – Procurement Policy and processed in accordance with Policy CP035 – Payment of Accounts.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.20) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Schedule of Paid Accounts as at 15 November 2019
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<ul style="list-style-type: none"> • Legal Compliance - Failing to monitor the financial performance can increase the risk of a negative impact on the financial position and non-compliance with legislative requirement could result in a qualified audit • Reputational - Council could be seen in a negative light if it fails to: <ul style="list-style-type: none"> – adhere to the relevant Policies and Procedures. – pay accounts by due dates.

Officer Comment

This is a schedule of 'paid accounts' - the accounts have been paid in accordance with Council's delegation.

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
ELECTRONIC FUNDS TRANSFER					
EFT36039	31/10/2019	Alison Meachem	Library Programs - Tiny Wooden Houses - September	MUNI	175.00
EFT36040	31/10/2019	All Aussie Truck and Bobcat Services	Hire of Bobcat for General Clean-up and Road Maintenance	MUNI	6,820.00
EFT36041	31/10/2019	Annette Webster	Refund of Election Nomination Fee	MUNI	80.00
EFT36042	31/10/2019	April McCarrey	Umpire Recoup Netball 29-10-2019	MUNI	66.00
EFT36043	31/10/2019	Aquachill	Dardanup Office Water Cooler Rental - 12 Month Fee	MUNI	686.40
EFT36044	31/10/2019	Australian Tax Office	PAYG Withholding - Payrun 01-11-2019	MUNI	79,962.00
EFT36045	31/10/2019	Anton Manning	Purchase Ipad Case (Reimbursement to Officer)	MUNI	99.95
EFT36046	31/10/2019	Blackwoods	Oil Absorbent Bags for Spill Kit Replenishment at Dardanup Depot	MUNI	73.63
EFT36047	31/10/2019	Bluesteel Enterprises Pty Ltd	Helmet - White With FF Stickers, Face Shield and Rear Neck Curtain	MUNI	810.16
EFT36048	31/10/2019	Brett Hodgson	Umpire Recoup Basketball 30-10-2019	MUNI	88.00
EFT36049	31/10/2019	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	218.14
EFT36050	31/10/2019	Bunbury Army Surplus	Protective Clothing - 2 x Safety Boots	MUNI	341.00
EFT36051	31/10/2019	Bunbury Coffee Machines	ERC - Cafe Stock	MUNI	464.00
EFT36052	31/10/2019	Bunbury Face Painting and Entertainment	Community Event - Family Entertainment - Spring Out 2019	MUNI	885.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36053	31/10/2019	Bunbury Holden	Check Oil Concern - Holden Equinox DA563	MUNI	67.50
EFT36054	31/10/2019	Bunbury Tyrepower - Picton	Repair Leaking Front Tyre On Grader DA9774	MUNI	197.00
EFT36055	31/10/2019	Bunnings Group Limited	Sundry Plant - Equipment and Repairs	MUNI	76.36
EFT36056	31/10/2019	Cameron Baker	Umpire Recoup Basketball 30-10-2019	MUNI	88.00
EFT36057	31/10/2019	Carmel Boyce	Councillor Allowance	MUNI	1,158.92
EFT36058	31/10/2019	Caroline Mears	Library Programs - Chair Yoga October - Four Sessions	MUNI	180.00
EFT36059	31/10/2019	CB Traffic Solutions	Traffic Management - Crooked Brook Road Roadworks	MUNI	10,639.92
EFT36060	31/10/2019	Civilcon	ERC – Investigate-Inspect & Report -Roof Leaking @ Several Different Points	MUNI	1,375.00
EFT36061	31/10/2019	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	5,318.38
EFT36062	31/10/2019	Craven Foods	ERC - Cafe Stock	MUNI	383.81
EFT36063	31/10/2019	Daniel Woods	Umpire Recoup Basketball 30-10-2019	MUNI	66.00
EFT36064	31/10/2019	Dardanup Rural Supplies	Road Maintenance - Consumables	MUNI	376.39
EFT36065	31/10/2019	Donna Bastow	Umpire Recoup Basketball 30-10-2019	MUNI	154.00
EFT36066	31/10/2019	Earth 2 Ocean Communications	Charter PTT Annual Mobile Licence	MUNI	1,434.01
EFT36067	31/10/2019	Erin Hutchins	Accom 2 x nights for Staff Training (Perth) - Report Writing for LG Workshop	MUNI	378.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36068	31/10/2019	Fulton Hogan Industries WA	Road Maintenance - Premix Bags	MUNI	2,499.20
EFT36069	31/10/2019	Fleet Fitness	Replacement Part for Climbmill Lower Control Board	MUNI	588.50
EFT36070	31/10/2019	Go Electrical Contracting	ERC - Install Led Light Strip to Shelve In Cafe	MUNI	215.05
EFT36071	31/10/2019	Graham Lord	Refund of Election Nomination Fee	MUNI	80.00
EFT36072	31/10/2019	Greg Harewood	Professional Fauna Survey and IBSA Report for Pile Road	MUNI	1,127.50
EFT36073	31/10/2019	Gregory James Homer	Refund of Election Nomination Fee	MUNI	80.00
EFT36074	31/10/2019	Harvey Norman	IT Equip. Allogic USB-C Dual Display Dock/Charger for DFES Officer (DFES Funded)	MUNI	532.95
EFT36075	31/10/2019	Hayley Bowen	Refund of Vac Care Fees (Fees overpaid after Child Care Rebate Applied)	MUNI	82.82
EFT36076	31/10/2019	Hynes Contracting	Hire of Tip Truck and Bobcat - Pile Rd	MUNI	880.00
EFT36077	31/10/2019	Ian James Hayward	Refund of Election Nomination Fee	MUNI	80.00
EFT36078	31/10/2019	IPWEA - WA Division	IPWEA WA Division Membership (3 x Members/Officers)	MUNI	984.50
EFT36079	31/10/2019	LTR Pacific Pty Ltd	Box of Bolts for Cutting Edges - Grader DA9774	MUNI	59.40
EFT36080	31/10/2019	James Lee	Councillor Allowance	MUNI	1,238.92
EFT36081	31/10/2019	Janice Dow	Councillor Allowance	MUNI	1,158.92
EFT36082	31/10/2019	Jasmine Barrett	Umpire Recoup Basketball 30-10-2019	MUNI	66.00
EFT36083	31/10/2019	Jason Carroll Naturopath	ERC- Ideal Breakfast Shake 8 x 1Kg	MUNI	596.20

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36084	31/10/2019	Jim's Test and Tag	2019/2020 Test and Tags - Burekup Hall, Softball Pavilion & Dardanup Clubrooms	MUNI	677.60
EFT36085	31/10/2019	Josie Phillips	Umpire Recoup Netball 28-10-2019	MUNI	180.00
EFT36086	31/10/2019	Kaitlyn O'Dea	Umpire Recoup Netball 28-10-2019	MUNI	135.00
EFT36087	31/10/2019	Karyn Rowe	Umpire Recoup Netball 28-10-2019	MUNI	157.50
EFT36088	31/10/2019	Kenny Pomare	Umpire Recoup Basketball 30-10-2019	MUNI	44.00
EFT36089	31/10/2019	Kings Tree Care	Remove Broken Tree Limb Overhanging Pile Road, Remove Tree Holroyd Gardens	MUNI	946.00
EFT36090	31/10/2019	Kmart	ERC - Aux Cables, Charger and Stationery	MUNI	45.00
EFT36091	31/10/2019	Kyrilee Collins	Umpire Recoup Netball 29-10-2019	MUNI	66.00
EFT36092	31/10/2019	Les Mills Asia Pacific	Monthly Licence Fees	MUNI	147.42
EFT36093	31/10/2019	Living Springs	Waste Transfer Station - Bottled Water	MUNI	77.00
EFT36094	31/10/2019	Lonsdale Party Hire	Community Event - Equipment Hire - Spring Out Family Festival 2019	MUNI	718.66
EFT36095	31/10/2019	Luke Davies	Councillor Allowance	MUNI	1,158.92
EFT36096	31/10/2019	Malatesta Road Paving and Hotmix	Supply of Cationic Emulsion CRS	MUNI	400.00
EFT36097	31/10/2019	Marie Wilkinson	Creative Collective, One Crafty Mumma & Eaton Craft	MUNI	581.00
EFT36098	31/10/2019	Marindi Fabrications	ERC - Repair of Chain Cog Axle on Climb Mill	MUNI	275.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36099	31/10/2019	Mckayhla Pomare	Umpire Recoup Basketball 30-10-2019	MUNI	88.00
EFT36100	31/10/2019	Michael Bennett	Councillor Allowance	MUNI	3,838.25
EFT36101	31/10/2019	Monsterball Amusements & Hire	Community Event - Multiple Amusements - Spring Out Festival 2019	MUNI	3,490.00
EFT36102	31/10/2019	Moore Stephens WA Pty Ltd	Moore Stephens Accounting Workshop - MFS & Accountant	MUNI	1,683.00
EFT36103	31/10/2019	Nayax	ERC Vending Machine - Monthly License Fee	MUNI	16.17
EFT36104	31/10/2019	Nathan Stacey	Umpire Recoup Basketball 30-10-2019	MUNI	132.00
EFT36105	31/10/2019	Oasis Party Central	Photo Booth Hire - End of Year Function 2019	MUNI	750.00
EFT36106	31/10/2019	Pages Mechanical Repairs	Service Hino Truck DA8457	MUNI	528.90
EFT36107	31/10/2019	Patricia Perks	Councillor Allowance	MUNI	1,238.92
EFT36108	31/10/2019	Perfect Landscapes	Scalp Mow at Burekup Oval and Eaton Reserve Mowing	MUNI	2,717.00
EFT36109	31/10/2019	Peter Robinson	Councillor Allowance	MUNI	1,777.84
EFT36110	31/10/2019	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	410.15
EFT36111	31/10/2019	PFI Supplies	ERC - Cleaning Products	MUNI	1,294.00
EFT36112	31/10/2019	Pirtek Bunbury	Toro Mower - Hose Assembly and Labour	MUNI	196.90
EFT36113	31/10/2019	Prime Supplies	Impact Wrench 3/4", Degreaser Gun and Barrier Cream	MUNI	1,745.80

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36114	31/10/2019	Promote You	Embroidery of Staff Uniforms	MUNI	194.70
EFT36115	31/10/2019	Rock N Roll High	Library Programs - Live Music In The Library - October	MUNI	100.00
EFT36116	31/10/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	461.37
EFT36117	31/10/2019	Serenity Massage Therapy and Reflexology Clinic	Comm. Event - Provision of Health and Wellbeing Services - Ladies Day Out 2019	MUNI	262.50
EFT36118	31/10/2019	Shire of Chittering	Payment for Long Service Leave Liability (ex Employee LG Transfer)	MUNI	16,046.00
EFT36119	31/10/2019	Signs Plus	Magnetic Name Badges - New Staff	MUNI	47.10
EFT36120	31/10/2019	Simon Bolland	Library Programs - Live Music In The Library - October	MUNI	100.00
EFT36121	31/10/2019	Siveryogies Dojoh Pty Ltd	Comm. Event - Guest Speaker/Community Qigong Workshop - Ladies Day Out 2019	MUNI	150.00
EFT36122	31/10/2019	SMR Psychology	Employee Assistance Program	MUNI	187.00
EFT36123	31/10/2019	South West Tree Safe	Parks & Reserves Mtce - Removal of Tree - Eaton Recreation Centre	MUNI	770.00
EFT36124	31/10/2019	Southern Lock and Security	Replace Faulty Lock Mechanism - Cricket Club Storeroom and Football Changerooms	MUNI	705.15
EFT36125	31/10/2019	Stacey Gillespie	Refund of Election Nomination Fee	MUNI	80.00
EFT36126	31/10/2019	Steann Pty Ltd	Green Waste Collection - Oct 2019	MUNI	23,650.00
EFT36127	31/10/2019	Stella Botte	Uniform Reimbursement	MUNI	239.12
EFT36128	31/10/2019	Stewart and Heaton Clothing Company Pty Ltd	Waterloo and Dardanup BFB - Protective Clothing	MUNI	451.97

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36129	31/10/2019	Sudhanshu Mishra	Travel & Accom including meals - 16 to 18 October - WALGA Training	MUNI	661.07
EFT36130	31/10/2019	Synergy	Electricity Account for Standpipe at Harold Douglas Dr Reserve	MUNI	108.52
EFT36131	31/10/2019	Te Wairimu Elinor Pomare	Umpire Recoup Basketball 30-10-2019	MUNI	22.00
EFT36132	31/10/2019	Terau Aroha Tamatea	Umpire Recoup Netball 28-10-2019	MUNI	66.00
EFT36133	31/10/2019	Therese Price	Umpire Recoup Netball 29-10-2019	MUNI	67.50
EFT36134	31/10/2019	Total Eden Pty Ltd	Parks and Gardens - Consumables	MUNI	986.37
EFT36135	31/10/2019	Tracey Tupaea	Umpire Recoup Netball 28-10-2019	MUNI	110.00
EFT36136	31/10/2019	Tyrrell Gardiner	Councillor Allowance	MUNI	1,158.92
EFT36137	31/10/2019	Toll Transport	Freight and Postage - Various Items/Equipment	MUNI	470.86
EFT36138	31/10/2019	Undercover SW	Vacation Care Oct 2019 - Laser Tag	MUNI	600.00
EFT36139	31/10/2019	Veens Design Drafting Service	ERC - Provide Sketch Design for New Office Layout	MUNI	495.00
EFT36140	31/10/2019	WALGA	Local Recovery Coordinator Training 9-10 December 2019	MUNI	1,045.00
EFT36141	31/10/2019	West Australian Mechanical Services Pty Ltd	ERC - Routine Maintenance - Deep Clean to 4 Units	MUNI	1,956.90
EFT36142	31/10/2019	West Australian Newspapers Ltd	Subscription - Newspapers Per 12 Weeks - 01/07/2019 - 30/06/2020	MUNI	164.34
EFT36143	31/10/2019	Woolworths Group Limited	ERC - Cafe Stock	MUNI	362.23
EFT36144	31/10/2019	Work Clobber	Protective Clothing - 2 x Work Safety Boots/3 x L/S Shirts	MUNI	380.13

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36145	31/10/2019	Xtreme Bounce Party Hire	Community Event - Children's Entertainment - Spring Out 2019	MUNI	450.00
EFT36146	07/11/2019	21 Graphic Design Pty Ltd	Community Events Brochure Design - November	MUNI	247.50
EFT36147	07/11/2019	Amity Signs	Multi Message Coreflute Signs 600mm X 600mm	MUNI	1,577.40
EFT36148	07/11/2019	All Seasons Sanctuary Golf Resort Bunbury	Overnight Accommodation incl Breakfast - Consultant	MUNI	247.00
EFT36149	07/11/2019	B & B Street Sweeping Pty Ltd	Russell Rd - Clean Out Sumps	MUNI	786.50
EFT36150	07/11/2019	B Watts Panel & Paint Repairs	DA004 - Repair to Scratch On Rear of Vehicle	MUNI	669.52
EFT36151	07/11/2019	Blackwoods	60 Protector Safety Sun Glasses and Face Shields	MUNI	704.73
EFT36152	07/11/2019	Blaine Thompson	Umpire Recoup Basketball 06-11-2019	MUNI	22.00
EFT36153	07/11/2019	Bliss Beauty Spa & Bodyworx	Provision of Health and Wellbeing Services for Guests- Ladies Day Out	MUNI	240.00
EFT36154	07/11/2019	Bluesteel Enterprises Pty Ltd	Helmets, Torches, Stickers, Goggles, Gloves and Boots - Dardanup Central	MUNI	1,931.89
EFT36155	07/11/2019	Boyles Plumbing and Gas	Repairs and Connection of Stormwater System	MUNI	1,193.94
EFT36156	07/11/2019	Brett Hodgson	Umpire Recoup Basketball 06-11-2019	MUNI	44.00
EFT36157	07/11/2019	Bunbury Geographe Gift Inc.	Allocated Funding As Per Budget 2019-2020 - Bunbury Geographe Gift Event 2020	MUNI	5,500.00
EFT36158	07/11/2019	Bunbury Mower Service	Parks and Gardens - Harness Brush Cutter Bar and Parts	MUNI	552.00
EFT36159	07/11/2019	Bunbury Psychological Services	Counselling Services - EAP	MUNI	308.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36160	07/11/2019	Bunnings Group Limited	Exchange Gas Cylinder for Truck Repairs	MUNI	253.04
EFT36161	07/11/2019	Cameron Baker	Umpire Recoup Basketball 06-11-2019	MUNI	110.00
EFT36162	07/11/2019	Capri Di Candilo	Umpire Recoup Netball 05-11-2019	MUNI	67.50
EFT36163	07/11/2019	Castledine Gregory	Collie River Bridge Maintenance Draft Agreement	MUNI	3,080.00
EFT36164	07/11/2019	CB Traffic Solutions	Traffic Management - Crooked Brook Road Roadworks	MUNI	9,683.04
EFT36165	07/11/2019	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account for Point to Point Microwave Service	MUNI	2,893.00
EFT36166	07/11/2019	Cleanaway	Community Event - Bins - Spring Out Family Festival	MUNI	222.24
EFT36167	07/11/2019	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	5,148.35
EFT36168	07/11/2019	Construction Training Fund :BCITF	BCITF - October 2019 Reconciliation	MUNI	9,468.98
EFT36169	07/11/2019	Caltex Energy WA	Adblue and Grease	MUNI	221.96
EFT36170	07/11/2019	Dardanup Social Dance Inc.	Funding for Community Grants Round 1 - Urn Steel Cabinet and Dance Placards	MUNI	787.00
EFT36171	07/11/2019	Data #3 Limited	Microsoft M365 Subscription	MUNI	572.60
EFT36172	07/11/2019	Department of Mines, Industry, Regulations & Safety	BSL Remittance October 2019	MUNI	7,935.44
EFT36173	07/11/2019	Donna Bastow	Umpire Recoup Basketball 06-11-2019	MUNI	187.00
EFT36174	07/11/2019	DX Print Group Pty Ltd	Business Cards x 500 - Director Sustainable Development	MUNI	275.00
EFT36175	07/11/2019	Easifleet Management	Lease Repayment - Volkswagen Tiguan - CEO	MUNI	2,517.86

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36176	07/11/2019	Eaton Laser Engraving	Supply and Engrave New Name Plates	MUNI	78.76
EFT36177	07/11/2019	Entrepreneurs In Residence Pty Ltd	ICT Plan Consulting	MUNI	2,750.00
EFT36178	07/11/2019	Eve Yoga	ERC Classes - Yoga Instruction 25/10, 30/10, 31/10	MUNI	180.00
EFT36179	07/11/2019	Fantasy Party Ponies	Community Event - Family Entertainment - Spring Out Family Festival 2019	MUNI	1,325.00
EFT36180	07/11/2019	Fit2Work	Monthly Invoice for Australian Employee Police Checks	MUNI	115.17
EFT36181	07/11/2019	Geographe Community Landcare Nursery Inc.	Depiazzi Park - Various Plant Supply	MUNI	1,750.00
EFT36182	07/11/2019	Grace Records Management	Bin Exchange and Records Management	MUNI	848.81
EFT36183	07/11/2019	Heatleys	Mask Dust & Mist P2	MUNI	89.43
EFT36184	07/11/2019	Howson Technical	Project Management - Harris Road	MUNI	10,450.00
EFT36185	07/11/2019	Hynes Contracting	Road Mtce - Grade Drainage	MUNI	577.50
EFT36186	07/11/2019	In Town Centre Inc	Allocated Funding As Per Budget 2019 - 2020 (Last Year of Funding).	MUNI	2,750.00
EFT36187	07/11/2019	Illion Australia Pty Ltd (Tenderlink)	Tenderlink Public Notice Fee	MUNI	330.00
EFT36188	07/11/2019	Jasmine Barrett	Umpire Recoup Basketball 06-11-2019	MUNI	88.00
EFT36189	07/11/2019	Jetline Kerbing Contractors	Cadell Park Millbridge - Repairs to Pathways	MUNI	3,795.00
EFT36190	07/11/2019	Jo Jingles South West	Library Programs - Early Learning Programs - October	MUNI	1,650.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36191	07/11/2019	Josie Phillips	Umpire Recoup Netball 05-11-2019	MUNI	67.50
EFT36192	07/11/2019	Karyn Rowe	Umpire Recoup Netball 04-11-2019	MUNI	217.50
EFT36193	07/11/2019	Kings Tree Care	Remove Trees - Pile Road, Duckpond Park, Trim Tree Padbury Road	MUNI	6,777.00
EFT36194	07/11/2019	Kleenit Pty Ltd	Industrial Clean Prior to Bull and Barrel Festival - Dardanup Hall Public Toilets	MUNI	330.00
EFT36195	07/11/2019	Kristen Corbett	Reimbursement of Working With Children Check	MUNI	87.00
EFT36196	07/11/2019	Kyralee Collins	Umpire Recoup Netball 05-11-2019	MUNI	66.00
EFT36197	07/11/2019	Leschenault Kinesiology	Provision of Health and Wellbeing Services - Ladies Day Out 209	MUNI	297.50
EFT36198	07/11/2019	Mantrac	Mowing - Recreation Drive	MUNI	1,072.50
EFT36199	07/11/2019	Marie Wilkinson	Library Programs - October 2019	MUNI	790.00
EFT36200	07/11/2019	Marketforce	Recruitment Advertising	MUNI	2,118.58
EFT36201	07/11/2019	Mckayhla Pomare	Umpire Recoup Basketball 06-11-2019	MUNI	99.00
EFT36202	07/11/2019	McLeods Barristers and Solicitors	Amendments to Contract of Sale for Lots 606 & 607 Council Drive	MUNI	752.40
EFT36203	07/11/2019	MJB Industries Pty Ltd	Concrete Pipes and Headwalls to suit	MUNI	1,995.40
EFT36204	07/11/2019	Marzano Psychological Services	Employee Assistance Program Visit	MUNI	198.00
EFT36205	07/11/2019	Nightguard Security Service	Security Call-Out Service for Eaton Administration Centre	MUNI	99.00
EFT36206	07/11/2019	Nites Electrical	Electrical Work for Hot Water System Replacement	MUNI	236.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36207	07/11/2019	Noise Net	Hire of Barking Dog Device	MUNI	1,650.00
EFT36208	07/11/2019	Nathan Stacey	Umpire Recoup Basketball 06-11-2019	MUNI	132.00
EFT36209	07/11/2019	Novus Auto Glass Bunbury	New Rear Window for Cab DA8514	MUNI	511.50
EFT36210	07/11/2019	Officeworks Superstores Pty Ltd	Eaton Administration Centre - Stationery Items	MUNI	1,326.03
EFT36211	07/11/2019	Perfect Landscapes	Mowing - Eaton Drive Islands	MUNI	4,554.00
EFT36212	07/11/2019	Raelene Tedd	Umpire Recoup Netball 04-11-2019	MUNI	150.00
EFT36213	07/11/2019	Rosie Georgina Mary Cossar	Crossover Rebate - 23 Resolve Loop Eaton A11555	MUNI	117.00
EFT36214	07/11/2019	SafeTcard Australia	Monthly Fees for SafeTcards Monitoring	MUNI	264.00
EFT36215	07/11/2019	Sergio Massimini	Reimbursement of Fuel for Work Ute	MUNI	30.00
EFT36216	07/11/2019	Shire of Dardanup	BA1 Rebound Wall - Building Services Levy	MUNI	61.65
EFT36217	07/11/2019	SOS Office Equipment	Photocopier Meter Reading (Usage) - Located In Transportable	MUNI	2,744.88
EFT36218	07/11/2019	South West Rubber Stamps	Pre-Inked Stamp - Subdivision Clearance Approval Stamp	MUNI	134.30
EFT36219	07/11/2019	Sportspower Bunbury	Sportspower Vouchers for ERC Group Fitness Month Challenge Promo	MUNI	160.00
EFT36220	07/11/2019	Synergy	Electricity Account Various Locations	MUNI	6,173.29
EFT36221	07/11/2019	T & V Fencing	Replace Galvanised Chainmesh at Glen Huon Oval	MUNI	462.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36222	07/11/2019	Te Wairimu Elinor Pomare	Umpire Recoup Basketball 06-11-2019	MUNI	22.00
EFT36223	07/11/2019	Telstra	Telephone Use for West Dardanup BFB	MUNI	40.00
EFT36224	07/11/2019	Terau Aroha Tamatea	Umpire Recoup Netball 04-11-2019	MUNI	110.00
EFT36225	07/11/2019	Therese Price	Umpire Recoup Netball 04-11-2019	MUNI	180.00
EFT36226	07/11/2019	Toni Hotchin	Umpire Recoup Netball 05-11-2019	MUNI	67.50
EFT36227	07/11/2019	Total Eden Pty Ltd	Parks & Reserves Mtce - Various Reticulation Items	MUNI	221.19
EFT36228	07/11/2019	Tutt Bryant Hire	Roller - 27 Tonne - Panizza and Yabberup Rd	MUNI	3,287.79
EFT36229	07/11/2019	Thompson Surveying Consultants	Assist With Road Closure On Ferguson Road at St. Aidan Wines	MUNI	660.00
EFT36230	07/11/2019	Toll Transport	Postage & Freight - Waterloo Brigade	MUNI	25.36
EFT36231	07/11/2019	Undercover SW	Community Event - Children's Entertainment - Spring Out Family Festival 2019	MUNI	650.00
EFT36232	07/11/2019	Water Corporation	Water Use and Service Charges Various Locations	MUNI	2,450.34
EFT36233	07/11/2019	Weathersafe WA	Supply and Install of BBQ Shelter Eaton Foreshore Reserve	MUNI	5,280.00
EFT36234	07/11/2019	Wholistic Healing Hut	Provision of Health and Wellbeing Services - Ladies Day Out 2019	MUNI	245.00
EFT36235	07/11/2019	WINC Australia Pty Ltd	Eaton Administration Office - Stationery Order	MUNI	947.94
EFT36236	07/11/2019	Woolworths Group Limited	General Items Purchased (Grocery Milk Etc.)	MUNI	11.22
EFT36237	07/11/2019	Work Clobber	Cargo Pants, Shirts and Safety Boots	MUNI	519.01

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36238	07/11/2019	Zipform Pty Ltd	Printing Collation and Lodgement of 2019/20 Instalment Notices	MUNI	1,533.44
EFT36239	13/11/2019	All Aussie Truck and Bobcat Services	Hire of Bobcat and Remove Tree Pruning	MUNI	1,155.00
EFT36240	13/11/2019	Amity Signs	Gnomesville - Design and Supply Signs	MUNI	281.38
EFT36241	13/11/2019	Andrew & Yvonne McWhirter	Crossover Rebate - 22 Evolution Loop Eaton A11727	MUNI	249.00
EFT36242	13/11/2019	AUSQ Training	Worksite Traffic Management & Controller Re Accreditation	MUNI	339.00
EFT36243	13/11/2019	Australind Glass	Supply and Install 2 Opening Windows at Admin Building	MUNI	1,359.80
EFT36244	13/11/2019	Alan Charlton	Deputy CBFCO Annual Payment 2019/20	MUNI	680.00
EFT36245	13/11/2019	B & B Street Sweeping Pty Ltd	Flush Out Blocked Pipes On Russel Rd Burekup	MUNI	643.50
EFT36246	13/11/2019	BeSafe Building Inspections	Certification of Shade Sail Structural Drawings (Eaton Foreshore)	MUNI	375.00
EFT36247	13/11/2019	Big W	Items for End of Year Function	MUNI	323.50
EFT36248	13/11/2019	Blackwoods	Protector Safety Sun Glasses - Black	MUNI	180.64
EFT36249	13/11/2019	Bluesteel Enterprises Pty Ltd	Various Gloves, Zip Kits, Helmets and Goggles	MUNI	1,553.21
EFT36250	13/11/2019	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	211.43
EFT36251	13/11/2019	Bunbury and Districts Softball Association	Payment of Successful Community Grant R1 2019-2020.	MUNI	1,400.00
EFT36252	13/11/2019	Bunbury Auto One	Trailer Fuses and Grease Hose	MUNI	35.85

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36253	13/11/2019	Bunbury Coffee Machines	ERC - Cafe Order	MUNI	300.50
EFT36254	13/11/2019	Bunbury Harvey Regional Council	Banksia Road - Organics Disposal, Hook Bin Hire, Regional Waste Education	MUNI	5,673.29
EFT36255	13/11/2019	Bunbury Retravision	Sony Smart LED LCD TV - Upper Ferguson BFB	MUNI	1,275.00
EFT36256	13/11/2019	Bunnings Group Limited	Shelley's Liquid Nails Landscape	MUNI	11.76
EFT36257	13/11/2019	Caltex Australia Petroleum Pty Ltd	Fuel - Shire Vehicle Fleet	MUNI	20,050.07
EFT36258	13/11/2019	CB Traffic Solutions	Traffic Management - Crooked Brook Road Roadworks	MUNI	5,669.54
EFT36259	13/11/2019	City of Busselton	Southwest Library Consortia - Admin Officer Contribution	MUNI	5,053.40
EFT36260	13/11/2019	Claire Lee	Uniform Reimbursement	MUNI	123.90
EFT36261	13/11/2019	Cleanaway	Bin Services - New Replacement and Repairs	MUNI	1,467.36
EFT36262	13/11/2019	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	8,546.57
EFT36263	13/11/2019	Codee-Lee Down	Library Programs - Live Music In The Library - November	MUNI	200.00
EFT36264	13/11/2019	Collie Canvas & Camping World	Canvas PPE Kit Bags With Embroided Shire of Dardanup Logo for Various Brigades	MUNI	5,808.00
EFT36265	13/11/2019	Coventry Group Limited T/A Konnect	Nuts Bolts and Washers for Slasher Gearbox Repair	MUNI	12.43
EFT36266	13/11/2019	Craven Foods	ERC - Cafe Order	MUNI	329.89
EFT36267	13/11/2019	Dalyellup Yoga	ERC - Yoga Instruction	MUNI	60.00
EFT36268	13/11/2019	Dardanup Aeromodellers Society Inc	Payment of Successful Community Grant R1 2019-2020	MUNI	5,000.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36269	13/11/2019	Dardanup Garage & Service Station	Repair Trailer and Replace Axle and Shackles 1TMX103	MUNI	1,601.55
EFT36270	13/11/2019	Dardanup Rural Supplies	Drill Masonary 10mm X 120mm	MUNI	8.90
EFT36271	13/11/2019	David John Leek T/A Acefire	Fire Hose Reel and Nozzle Lock Box	MUNI	77.00
EFT36272	13/11/2019	Dorsogna Limited	ERC - Cafe Order	MUNI	164.29
EFT36273	13/11/2019	Drummond Catering	Wednesday 6th November - Council Meeting Dinner	MUNI	480.00
EFT36274	13/11/2019	Ella Geluk-Howarth	Uniform Reimbursement	MUNI	20.00
EFT36275	13/11/2019	Fulton Hogan Industries WA	Maxi Skid Resist 7th 16th and 17th October 2019	MUNI	791.30
EFT36276	13/11/2019	Graham & Debbie Anne Buswell	Rates Refund for Assessment A3096 41 Blue Wren Dr Eaton	MUNI	1,687.85
EFT36277	13/11/2019	Harvey Norman	LED Smart TV for ERC Reception Promotions	MUNI	1,844.00
EFT36278	13/11/2019	Heatleys	Pubic Works - Protective Clothing	MUNI	1,143.87
EFT36279	13/11/2019	Hynes Contracting	Hire of Bobcat and Operator - Crooked Brook Rd, Remove Concrete Pratt Road Res.	MUNI	3,355.00
EFT36280	13/11/2019	Jacqueline Maria Bishop	Crossover Rebate - A11726	MUNI	249.00
EFT36281	13/11/2019	James Graham Atherton	Refund of Cat Cage Bond	MUNI	150.00
EFT36282	13/11/2019	Landgate	Landgate Online Property Search	MUNI	78.60
EFT36283	13/11/2019	Landmark Operations Ltd	Parks and Gardens - Stadium Turf and Consumables	MUNI	6,396.12

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36284	13/11/2019	Lions Club of Eaton	Payment of Successful Community Grant R1 2019-2020.	MUNI	2,809.50
EFT36285	13/11/2019	Local Government Professionals Australia WA	Report Writing for Local Government - Coordinator Emergency & Ranger Services	MUNI	730.00
EFT36286	13/11/2019	Lonsdale Party Hire	Equipment Hire- Seniors Celebration Day 2019	MUNI	656.68
EFT36287	13/11/2019	Mark Richard Hutchinson	Refund of Election Nomination Fee	MUNI	80.00
EFT36288	13/11/2019	Marketforce	12 Months Advertising Space for Community News In Bunbury Herald and Mail	MUNI	3,349.41
EFT36289	13/11/2019	McLeods Barristers and Solicitors	Advice - Restricted Access Vehicle Moratorium	MUNI	7,736.10
EFT36290	13/11/2019	MDC Legal	Industrial Relations Retainer	MUNI	3,730.50
EFT36291	13/11/2019	Nara Training and Assessing	White Card - Construction Industry Induction	MUNI	100.00
EFT36292	13/11/2019	Officeworks Superstores Pty Ltd	Storage Cupboards for New Director plus Stationery	MUNI	670.39
EFT36293	13/11/2019	Onsite Rental Group	Hire of Temporary Office Behind Eaton Admin Centre	MUNI	1,150.89
EFT36294	13/11/2019	Pauline Dorothy Evans	Crossover Rebate - A11736	MUNI	90.00
EFT36295	13/11/2019	Perfect Landscapes	Mowing - Various Parks and Ovals	MUNI	4,389.00
EFT36296	13/11/2019	Peter Domenic & Margaret Giumelli	Rates Refund for Assessment A11358	MUNI	2,695.81
EFT36297	13/11/2019	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	753.15
EFT36298	13/11/2019	Prime Supplies	Spanner Set Ratcheting Combination	MUNI	199.00
EFT36299	13/11/2019	Promote You	Embroidery of Staff Uniforms	MUNI	15.40

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36300	13/11/2019	Pragdigi Solutions	Sharepoint Support	MUNI	340.00
EFT36301	13/11/2019	RMC Rail Services Pty Ltd	Rail Safety Management Plan and Site Protection Officer	MUNI	3,063.73
EFT36302	13/11/2019	Rosetta Patane	Refund of Hall Hire Bond	MUNI	1,040.00
EFT36303	13/11/2019	Sasha Prunster	Refund of Double Payment of Dog Registration	MUNI	20.00
EFT36304	13/11/2019	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	386.36
EFT36305	13/11/2019	Shirley Marjorie Roney	Rates Refund for Assessment A3454	MUNI	792.00
EFT36306	13/11/2019	Signs Plus	Magnetic Name Badges Kristy Hitchens - Communications Officer-Media Travis Ashe - GIS & Data Analyst Devon Chang - Business Solutions Developer	MUNI	47.10
EFT36307	13/11/2019	SMR Psychology	Employee Assistance Program	MUNI	187.00
EFT36308	13/11/2019	South West Rubber Stamps	Stationery Expense - Goods Received Stamp	MUNI	42.30
EFT36309	13/11/2019	Southern Cross Austereo	ERC Advertising - Gold Club Voucher 2 - 14 Day Free Trial Campaign	MUNI	1,749.00
EFT36310	13/11/2019	Stewart and Heaton Clothing Company Pty Ltd	Name Badges For Upper Ferguson BFB	MUNI	24.64
EFT36311	13/11/2019	Suez Recycling and Recovery	Monthly Kerbside Recycling Processing	MUNI	6,826.20
EFT36312	13/11/2019	Syed Hammad Mahmood Shah Kakakhel	Refund of Election Nomination Fee	MUNI	80.00
EFT36313	13/11/2019	Synergy	Electricity Account - Various Locations	MUNI	2,217.84
EFT36314	13/11/2019	Shire of Dardanup	Employee Payroll Deduction - Social Club	MUNI	120.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36315	13/11/2019	South West Women's Health & Information Centre	Nordic Walking - Seniors Celebration Day	MUNI	200.00
EFT36316	13/11/2019	Telstra	Mobile - DFES Grant Funded Officer \$59 Per Month Plan	MUNI	59.00
EFT36317	13/11/2019	Tigers Softball Club Inc.	Payment of Community Grant	MUNI	657.00
EFT36318	13/11/2019	Total Eden Pty Ltd	Parks and Gardens - Consumables	MUNI	878.57
EFT36319	13/11/2019	Tutt Bryant Hire	Hire of x 8 Tonne Steel Roller for Construction	MUNI	3,494.47
EFT36320	13/11/2019	Toll Transport	Postage & Freight - Dardanup Central FBF	MUNI	17.33
EFT36321	13/11/2019	Viva Aerial Dance	Ribbon Dancing - October School Holidays	MUNI	250.00
EFT36322	13/11/2019	WA Skills Training	Licence to Perform Dogging for 2 Works Staff	MUNI	1,718.00
EFT36323	13/11/2019	Water Corporation	Water Use and Service Charges - Various Locations	MUNI	7,047.71
EFT36324	13/11/2019	West Coast Fit / Karis Aplin	ERC - Group Fitness Instruction	MUNI	395.60
EFT36325	13/11/2019	WINC Australia Pty Ltd	Eaton Administration Office - Stationery Order	MUNI	327.29
EFT36326	13/11/2019	Woolworths Group Limited	General Items Purchased (Grocery Milk Etc.)	MUNI	1,010.04
EFT36327	13/11/2019	Work Clobber	Steel Blue S/Cap Boots	MUNI	594.08
EFT36328	14/11/2019	Anita Ettridge	Umpire recoup netball 12-11-2019	MUNI	67.50
EFT36329	14/11/2019	Australian Tax Office	Payg Withholdings Payrun 15-11-2019	MUNI	82,034.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36330	14/11/2019	Brett Hodgson	Umpire Recoup Basketball 13-11-2019	MUNI	110.00
EFT36331	14/11/2019	Cameron Baker	Umpire Recoup Basketball 13-11-2019	MUNI	110.00
EFT36332	14/11/2019	Donna Bastow	Umpire Recoup Basketball 13-11-2019	MUNI	154.00
EFT36333	14/11/2019	Donna Whitton	Umpire Recoup Netball 08-11-2019	MUNI	45.00
EFT36334	14/11/2019	Darryl Fishwick	Umpire Recoup Basketball 13-11-2019	MUNI	88.00
EFT36335	14/11/2019	Hitachi Construction Machinery Australia Pty Ltd	6000 Hr Service Carried Out On John Deere Loader	MUNI	3,958.90
EFT36336	14/11/2019	Jasmine Barrett	Umpire Recoup Basketball 13-11-2019	MUNI	22.00
EFT36337	14/11/2019	Kaitlyn O'Dea	Umpire Recoup Netball 12-11-2019	MUNI	112.50
EFT36338	14/11/2019	Karyn Rowe	Umpire Recoup Netball 08-11-2019	MUNI	45.00
EFT36339	14/11/2019	Mckayhla Pomare	Umpire Recoup Basketball 13-11-2019	MUNI	132.00
EFT36340	14/11/2019	Nathan Stacey	Umpire Recoup Basketball 13-11-2019	MUNI	88.00
EFT36341	14/11/2019	Shire Of Dardanup	Employee Deductions	MUNI	150.00
EFT36342	14/11/2019	Terau Aroha Tamatea	Umpire Recoup Netball 11-11-2019	MUNI	110.00
EFT36343	14/11/2019	Therese Price	Umpire Recoup Netball 12-11-2019	MUNI	112.50
EFT36344	14/11/2019	Toni Hotchin	Umpire Recoup Netball 12-11-2019	MUNI	67.50
EFT36345	14/11/2019	Tracey Tupaea	Umpire Recoup Netball 12-11-2019	MUNI	66.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT36346	14/11/2019	William Buck Consulting (Wa) Pty Ltd	Audit Service - Governance Health And Financial Sustainability Review	MUNI	18,517.40
EFT36347	14/11/2019	Zoe Hill	Umpire Recoup Netball 11-11-2019	MUNI	44.00
PAYROLL					
DD14679.1	01/11/2019	WA Super	Payroll Deductions	MUNI	40,103.15
DD14679.2	01/11/2019	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	161.47
DD14679.3	01/11/2019	MLC Super Fund	Superannuation Contributions	MUNI	567.97
DD14679.4	01/11/2019	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	260.89
DD14679.5	01/11/2019	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	238.09
DD14679.6	01/11/2019	Suncorp Brighter Super	Superannuation Contributions	MUNI	141.46
DD14679.7	01/11/2019	BT Super for Life	Superannuation Contributions	MUNI	74.38
DD14679.8	01/11/2019	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	42.80
DD14679.9	01/11/2019	Evans Family Superannuation Fund	Superannuation Contributions	MUNI	125.07
DD14679.10	01/11/2019	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	261.82
DD14679.11	01/11/2019	The Bro Code Super Fund	Payroll Deductions	MUNI	28.80
DD14679.12	01/11/2019	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	645.63

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD14679.13	01/11/2019	Media Super	Superannuation Contributions	MUNI	498.07
DD14679.14	01/11/2019	Rest Superannuation	Payroll Deductions	MUNI	710.48
DD14679.15	01/11/2019	Australiansuper	Superannuation Contributions	MUNI	2,170.04
DD14679.16	01/11/2019	Burton Superannuation Fund	Superannuation Contributions	MUNI	257.93
DD14679.17	01/11/2019	Construction & Building Industry Super	Superannuation Contributions	MUNI	370.84
DD14679.18	01/11/2019	Hostplus	Superannuation Contributions	MUNI	490.86
DD14709.1	15/11/2019	Wa Super	Payroll Deductions	MUNI	41,310.34
DD14709.2	15/11/2019	Hostplus	Superannuation Contributions	MUNI	548.78
DD14709.3	15/11/2019	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	163.94
DD14709.4	15/11/2019	Mlc Super Fund	Superannuation Contributions	MUNI	707.81
DD14709.5	15/11/2019	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	260.89
DD14709.6	15/11/2019	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	243.64
DD14709.7	15/11/2019	One Path Masterfund	Superannuation Contributions	MUNI	134.72
DD14709.8	15/11/2019	Suncorp Brighter Super	Superannuation Contributions	MUNI	170.65
DD14709.9	15/11/2019	Bt Super For Life	Superannuation Contributions	MUNI	85.60
DD14709.10	15/11/2019	Amp Flexible Super - Super Account	Superannuation Contributions	MUNI	20.35

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD14709.11	15/11/2019	Evans Family Superannuation Fund	Superannuation Contributions	MUNI	250.13
DD14709.12	15/11/2019	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	261.82
DD14709.13	15/11/2019	The Bro Code Super Fund	Superannuation Contributions	MUNI	100.80
DD14709.14	15/11/2019	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	645.63
DD14709.15	15/11/2019	Rest Superannuation	Superannuation Contributions	MUNI	576.02
DD14709.16	15/11/2019	Media Super	Superannuation Contributions	MUNI	498.07
DD14709.17	15/11/2019	Australiansuper	Superannuation Contributions	MUNI	2,238.46
DD14709.18	15/11/2019	Burton Superannuation Fund	Superannuation Contributions	MUNI	257.93
DD14709.19	15/11/2019	Construction & Building Industry Super	Superannuation Contributions	MUNI	312.29
BPAY					
DD14673.1	30/10/2019	Alinta	ERC - Quarterly Invoice for Gas Consumption	MUNI	2,514.71
DD14673.2	30/10/2019	linet Ltd	Monthly Charge for Business-4 Service Sod@westnet.com.au	MUNI	174.94
DD14676.1	31/10/2019	Engineers Australia	EA Professional Membership Renewal 2019-2020	MUNI	574.00
CHEQUE					
3	30/10/2019	Shire of Dardanup - Please Pay Cash	Petty Cash Recoup - ERC	MUNI	208.25

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
CREDIT CARD					
DD14688.1	29/10/2019	Facebook Ireland Limited	Facebook Advertising Campaigns August - Oct 2019	MUNI	249.51
DD14688.2	29/10/2019	SAI Global	Information and Documentation - Records Management Concepts and Principles	MUNI	312.10
DD14688.3	29/10/2019	Mailchimp	Monthly Subscription and Charge for Electronic Newsletter	MUNI	115.02
DD14688.4	29/10/2019	Dapulse	2 Year Software Subscription Renewal - Monday.Com	MUNI	3,168.00
					693,594.83

REPORT TOTALS

EFT	590,340.68
Payroll	95,937.62
Muni Cheque	208.25
BPAY	3,263.65
Credit Card	3,844.63
TOTAL	693,594.83

CERTIFICATE OF Chief Executive Officer

This Schedule of Accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.



MR ANDRÉ SCHÖNFELDT
Chief Executive Officer

CARRIED
8/0

12.21 Title: Bunbury Geographe Tourism Partnership Memorandum of Understanding

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
Legislation: Local Government Act 1995

Overview -

This report presents the current Memorandum of Understanding (MOU) between seven local governments from the Bunbury Geographe Tourism Partnership (BGTP) to Council and seeks support for the extension of the MOU to operate until 30 June 2020.

Background -

A tourism working group was established in 2012, made up of the Bunbury Wellington Group of Councils, South West Development Commission and Regional Development Australia. They came together to develop a sub-regional tourism strategy that would complement the Tourism Futures South West Plan and the South West Regional Blueprint. It was as a result of this strategy that the MOU was created.

In December 2016 the current MOU to establish and run the BGTP came into operation. This MOU was entered into between the Shires of Dardanup, Collie, Harvey, Capel, Donnybrook-Balingup and Boyup Brook as well as the City of Bunbury. The purpose of the MOU being to deliver the outcomes listed within the Regional Tourism Development Strategy. A copy of the signed MOU is attached (Appendix ORD: 12.21A).

The purpose of the MOU is to create a unified approach to the management of tourism development, marketing and infrastructure and to continue the relationship with the members and identify and promote key areas of focus including:

- Identify tourism opportunities, priorities and gaps;
- Develop a unified tourism brand for the region;
- Marketing, governance and product development; and
- Identify infrastructure and product priorities.

Member councils have already commenced a review of the MOU, however to date this is not finalised.

A meeting was held on 13 November 2019 where members of both the Bunbury-Geographe Steering Committee and the Bunbury-Geographe Tourism Advisory Working Group agreed to approach each of the member Councils to seek their support in extending the current MOU by a further six months through to 30 June 2020.

Legal Implications - None.

Strategic Community Plan

- Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High)
- Strategy 1.5.2 - Foster strategic alliance with major industry groups and government agencies. (Service Priority: High)
- Strategy 4.1.1 - To create connectivity: Support business success by efficient movement and exchange of people, business, goods, services and ideas. (Service Priority: Moderate)
- Strategy 4.2.1 - To be a visitor destination: Become a choice destination for tourists, visitors and our own residents. (Service Priority: Very High)

Strategy 4.2.3 - Foster and promote the Ferguson Valley as a tourism destination. (Service Priority: Very High)

Environment - None.

Precedents - None.

Budget Implications -

The current MOU contained provision for the operation/marketing budget of \$100K per annum, over the three year period (2016-2019). It should be noted that there was no expenditure made during the 2016/2017 financial year, that initial \$100K has been brought forward and is now available for use in 2019/2020.

A Tourism Marketing and Development Manager was employed on 18 April 2017. It was proposed by the member Local Governments, to each provide a pro-rata payment being 30% of each member's annual contribution to enable the ongoing engagement of the Tourism Marketing and Development Manager for the extended period of the MOU. This will result in the following contributions:

Member Local Government	Contribution
Boyup Brook	\$600.00
Bunbury	\$47,055.90
Capel	\$3,000.00
Collie	\$1,500.00
Dardanup	\$3,000.00
Donnybrook-Balingup	\$1,500.00
Harvey	\$3,000.00
Total	\$59,655.90

As such there should be no financial implications for the Shire of Dardanup for the 2019/2020 financial year as the budget already includes provision to cover this expense.

Budget – Whole of Life Cost - None.

Council Policy Compliance -

- CP011 – Tourism Policy
- An Overview of Activity and Strategic Opportunities for Tourism in the Shire of Dardanup
- Shire of Dardanup Strategic Community Plan

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.21B) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Bunbury Geographe Tourism Partnership Memorandum of Understanding
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Category Assessed Against	Reputational Risk – By not agreeing to extend the MOU it could cause the perception that the Shire of Dardanup is not supportive of a joint tourism/marketing initiative for the region.

Officer Comment

Continuation of the MOU will enable continued provision of a coordinate approach to the development of tourism and marketing for the region, in turn reducing competition between towns and creating a pool of resources that will assist in increasing the overall reach and effectiveness of tourism marketing campaigns.

The MOU has been successfully implemented, and is now under review as is due practice. This process needs to be fully-consultative and will take time, with relevant industry and stakeholder consultation planned for February/March 2020. Following this consultation a further report will be brought back to council in April 2020 to consider the Shire of Dardanup’s continued participation in the MOU from 1 July 2020 onward.

Given that the current MOU is still under review by each member Council, it is requested that Council agree to support the extension of the end date for the current MOU through to 30 June 2020.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

354-19 MOVED - Cr. T G Gardiner SECONDED - Cr. S Gillespie

THAT Council:

1. **Endorses an extension of the Bunbury Geographe Tourism Partnership (BGTP) Memorandum of Understanding (MOU) from 12 December 2019 through to 30 June 2020.**
2. **Notes that subject to point 1 of this resolution:**
 - a) **The extension is to allow the completion of a review of the MOU and consideration by all member Local Governments of their continuing involvement and investment into the BGTP by March 2020;**
 - b) **The outcomes of the March 2020 MOU review will be presented to each Council for consideration and confirmation of their position on the BGTP and their involvement past 30 June 2020; and**
 - c) **The financial provision of thirty percent of the Shire of Dardanup’s annual contribution, by invoice from the City of Bunbury, to enable the ongoing engagement of the Tourism Marketing and Development Manager for the extended period of the MOU be approved.**

CARRIED
8/0

13	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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13.1 Title: *Notice of Motion – Cr. J Dow - Insurance Services*

Reporting Department: Elected Member
Reporting Officer: Cr. J Dow – Elected Member
Legislation: Local Government Act 1995

Overview -

This report seeks Council’s approval to call a public tender for the provision of Insurance Services to provide Insurance Brokering and Risk Management Services to the Shire of Dardanup for the 2020/2021 financial year.

Background

LGIS is an industry focused insurance service that is used by the Shire of Dardanup along with the majority of other Local Governments within the state. Their cover is designed specifically for the needs of Local Government, and addresses industry specific risks and exposures. Their Elected Member Information Brochure (Appendix ORD 13.1A) explains in more detail the type of insurance service that is offered by LGIS to its clients.

The Shire of Dardanup’s LGIS Surplus Report 2019 (Appendix ORD 13.1B) provides further information in relation to services offered. It shows the total surplus amount of \$196,465 returned to the Shire of Dardanup since LGIS introduced their surplus/dividend payments, which is money that would be retained by traditional insurers.

The Shire of Dardanup has been insured with LGIS since their inception.

It is noted in the 2019 LGIS Surplus report that while other local governments have in the past withdrawn from the Scheme to test the market, they have all since returned with 100% of current WALGA members being LGIS members. The LGIS Scheme has retained this level of local government support for various reasons, including coverage, premium costs, and service level.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)
 Strategy 1.1.3 - Maintain best practice governance systems and practices. (Service Priority: Moderate)
 Strategy 1.3.6 - Establish a Risk Management Governance Framework for the Shire of Dardanup. (Service Priority: High)

Environment - None.

Precedents

At the Shire of Dardanup Audit Committee meeting held on 18 September 2019, Council considered a report on the review of Council insurances, where an overview of the Council’s current insurance portfolio and operations of the LGIS Scheme was provided. The outcome of this review by the Audit was to receive this Insurance Review Report.

Budget Implications

Council allocates annually budget funds to cover the range of identified insurable risks. This includes workers compensation, public liability, property, personal accident, and business interruption insurance amongst others.

In 2019/20 the allocated budget totalled \$458,181, with the additional cost due primarily to new bridge assets being added, or updated valuations provided, onto Council's insurable property register. Over the last few years insurance premiums have remained stable based on total insurance costs of:

- \$405,351 for 2018/19;
- \$396,833 for 2017/18;
- \$404,683 for 2016/17; and
- \$436,043 for 2015/16.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Council adopted the updated Risk Management Governance Framework on 14 August 2019 [OCM 250-19] which identifies insurance policies as a critical control in managing organisational risk in a variety of operational areas.

Risk Assessment -

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 13.1C) for full assessment document.

Tier 3 – 'High' or 'Extreme' Inherent Risk.	
Risk Event	Insurance Services
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Adequate insurance coverage and competitive pricing through LGIS
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> • Financial – high risk of Council suffering loss due to lack of or inadequate insurance coverage. • Reputational – moderate risk of services not being insured.

Elected Member Comment

There are brokers other than Local Government Insurance Services (LGIS) that are capable of providing insurance services to the Shire of Dardanup in Australia. As a Council we need to investigate to get competitive pricing for a significant operational expense area in a bid to reduce rates.

The Shire of Dardanup must test the market to get the best priced cover on Workers Compensation, Property and Liability Insurance. This would be in the best interests of the ratepayer.

LGIS is not a Preferred Supplier of the Western Australian Local Government Association (WALGA), as WALGA sit on the Board and receive commissions.

From my research, our insurance is not exempt from Compliance with s3-57 of the Local Government Act. As the insurance premiums for the Shire are over \$150,000, it would appear that our Insurance Contracts are not complying with the Act and should go out to tender.

If however, there is a written exemption from Local Government, then it is still good business practice and common sense to go out to public tender as we spend over \$400,000 of rate payers' money on insurance. Under the Act Councils must go to tender for supply of goods and services – the exception being if a contract is less than \$150,000. If it is over that amount, the only exception is if a Contractor is on the Preferred WALGA Suppliers List. LGIS is not a Preferred Supplier.

Companies that are associated with WALGA are LGIS and Jardine Lloyd Thompson, who were acquired by Marsh & McLennan Companies in April 2019.

An example of an alternate insurance broker is Anon Holdings Limited, who act for 41 Councils nationwide.

Open and transparent tenders will obtain a reduction in Premiums for the Shires' property insurance and assist in lowering shire expenses and possible savings.

- *Chief Executive Officer Comment*

Whilst the Notice of Motion was provided in a timely fashion, and in accordance with Standing Orders, the level of investigation required is extensive and as such it is recommended that this be deferred until February 2020 to allow time for that investigation to take place. It would also be recommended that as part of this deferral, Council requests the Chief Executive Officer to investigate similar experiences from other local governments who have sought tenders from the open market and to arrange for LGIS to make a presentation to Council at a Concept Forum in January 2020.

In the Elected Member Comment above, Cr. J Dow states:

If however, there is a written exemption from Local Government, then it is still good business practice and common sense to go out to public tender as we spend over \$400,000 of rate payers' money on insurance. Under the Act Councils must go to tender for supply of goods and services – the exception being if a contract is less than \$150,000. If it is over that amount, the only exception is if a Contractor is on the Preferred WALGA Suppliers List. LGIS is not a Preferred Supplier.

These statements are not factually accurate as there are other exemptions that may apply including where it is under a State Government Common Use Agreement, or where there is only one supplier that provides a particular service. As LGIS is the only provider of a comprehensive self-insurance Scheme, it is considered that LGIS in this regard is a sole provider, which has been raised and verified by our auditor. Therefore the Shire's insurance contracts are compliant with the Act.

It should also be noted that LGIS WA act for 137 of the 139 local governments in WA. It is also understood that there is a similar LGIS operating in Queensland.

Whilst this may reduce property insurance, the concern will be that other types of insurance will not be able to be obtained from other parties, leaving the Shire exposed to being either uninsured for some risks or having to pay higher premiums to get this insured. There is no guarantee that this approach will be cheaper as insurance obtained in the open market is subject to fluctuations based on claims across Australia and around the world.

Additionally the staff time and effort dealing with an insurance broker that does not understand the complexities of local government in WA would be difficult to quantify, but may impose a significant cost. Further LGIS has been operating in WA for over 20 years and has continually given back to the sector

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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None.

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS

It is recommended that the following item be heard behind closed doors.

Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 - Matters for Which Meeting May Be Closed:

Standing Order and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

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| <p><i>S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public-</i></p> <ul style="list-style-type: none"> <i>(a) all Council meetings; and</i> <i>(b) all meetings of any committee to which a local government power or duty has been delegated.</i> <p><i>(2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -</i></p> <ul style="list-style-type: none"> <i>(a) a matter affecting an employee or employees;</i> <i>(b) the personal affairs of any person;</i> <i>(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;</i> <i>(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;</i> <i>(e) a matter that if disclosed, would reveal -</i> <ul style="list-style-type: none"> <i>(i) a trade secret;</i> <i>(ii) information that has a commercial value to a person; or</i> <i>(iii) information about the business, professional, commercial or financial affairs of a person,</i> <i>where the trade secret or information is held by, or is about, a person other than the local government;</i> <i>(f) a matter that if disclosed, could be reasonably expected to -</i> <ul style="list-style-type: none"> <i>(i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;</i> <i>(ii) endanger the security of the local government's property; or</i> <i>(iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;</i> <i>(g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and</i> <i>(h) such other matters as may be prescribed.</i> <p><i>(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.</i></p> |
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OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

355-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT in accordance with the Local Government Act 1995, S 5.23, the Council go Behind Closed Doors [7.17pm] to discuss:

- **Personal Affairs of any person.**

CARRIED
8/0

16.1 Title: Australia Day WA Citizen of the Year Awards 2020

Reporting Department: Sustainable Development Directorate

Reporting Officer: Ms Melanie Ring - Culture & Community Services Officer

Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

Note: In accordance with the Local Government Act 1995 5.23 (2) this report is not available to the public. The Shire President tables the confidential report on this matter and provides copies to each elected member. The report will be located in the Records Management System of the Council.

COUNCIL RESOLUTION

356-19 MOVED - Cr. C N Boyce SECONDED - Cr. P R Perks

THAT nominee 'C' be the recipient of the Senior Citizen of the Year Australia Day Award.

CARRIED
5/0

